

Correspondence Between
Staff and Applicant
Approval Letter

McDowell Mountain Community Storage 23-ZN-2018 - response to staff concerns

mike leary

Sun 1/6/2019, 10:01 PM

To: doris mcclay <dmcclay@scottsdaleaz.gov>

Cc: tim curtis <tcurtis@scottsdaleaz.gov>; Grant, Randy <RGrant@Scottsdaleaz.gov>

2 attachments (5 MB)

MMR PCoC AMENDED DEV STDS.pdf; PARKING REDUCTION JUSTIFICATION.docx;

Doris first of all thank you for giving me a heads up so quickly after my resubmittal (3 days has to be a record).

I apologize for not giving you the backup info on amended development standards prior to your email.

I believe that my responses accurately addresses staff concerns below.

There are some zoning districts (Planned Community district and Planned Residential district) which allow amending the development standards more than 25% by the City Council. This property is not within a Planned Community district. The front yard setback is 40 feet and the west side yard is 50 feet. These are required setback for the C-1 zoning district based on the current R1-35 PCD ESL zoning of the adjacent property. The Environmentally Sensitive Lands Overlay allows a maximum reduction of 25% of the setback if approved by the Development Review Board.

It's my historical memory that major ESL projects that went through a rezoning process routinely amended their development standards as part of the City Council zoning approval. Our property is within the 3,400 acre McDowell Mountain Ranch master planned community which zoning was approved by the City in the early 1990's. As part of that zoning approval were amended development standards for all the zoning districts which are reflected in the summary below:

MCDOWELL MOUNTAIN RANCH
Scottsdale, Arizona

AMENDED DEVELOPMENT STANDARDS

PREPARED FOR:
The Newhall Land & Farming Company
Scottsdale, Arizona

PREPARED BY:
Larson, Voss Associates, Inc.
16212 Red Mountain Trail
Fountain Hills, Arizona 85268
(602)837-0837

DATE PREPARED: December 2, 1992
DATE REVISED: February 25, 1993

ATTACHMENT #9

MCDOWELL MOUNTAIN RANCH
Scottsdale, Arizona
AMENDED DEVELOPMENT STANDARDS

PROPOSED ZONING CATEGORY	MINIMUM LOT AREA SQ.FT.		MINIMUM LOT WIDTH		MINIMUM SETBACK REQUIREMENTS					
	ORD.	PRO.	ORD.	PRO.	FRONT		REAR		SIDE	
	ORD.	PRO.	ORD.	PRO.	ORD.	PRO.	ORD.	PRO.	ORD.	PRO.
R1-35	35,000	18,000	135'	100'	40'	25'	35'	20'	15'	10'
R1-18	18,000	9,500	120'	80'	35'	20'	30'	20'	10'	7'
R1-10	10,000	7,000	80'	65'	30'	20'	25'	20'	7'	5'
R1-7	7,000	4,900	70'	45'	20'	R1-5 Std.	25'	15'	5' 0" or 5' 14' tot.	10' tot.
R1-5	4,750	4,200	45'	40'	15/20'	NC	15' or 25'	NC	0 or 5' 10' tot.	NC
R-4	5,240	3,800	N/A		15*		15*	NC	15*	

PROPOSED ZONING CATEGORY	BUILDING HEIGHT		FLOOR AREA RATIO		OTHER CHANGES
	ORD.	PRO.	ORD.	PRO.	DENSITY FOR NON-RESORT USES
R-4R	35'	30'			
R-5	36'	NC			
S.R.	18'	36'		0.25	
C-2	36'	30'	0.3	0.35	
P.C.C.	36'	NC	0.3	NC	
P.O.C.	24'	NC	0.2	0.30	PROPERTY SIZE MAXIMUM INCREASED TO 3 ACRES.
O.S.	24'	30'			

*20'-15' Avg. adjacent to dedicated street, corner lots: 10' on one street.

ORD = Existing ordinance

PRO = Proposed Amendment

NC = No Change

DATE PREPARED: 12-2-92

DATE REVISED: 2-25-93

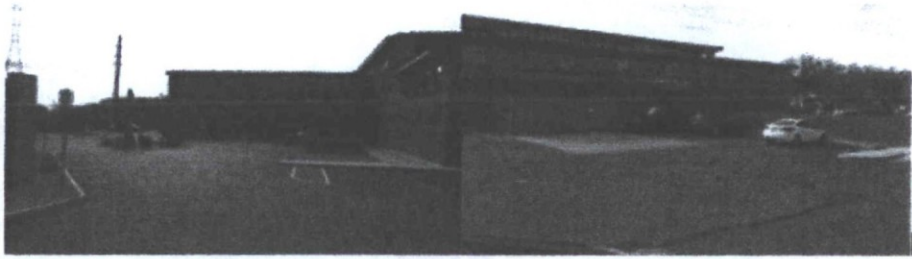
I've attached the amended PCoC standards taken from the adopting ordinance for further documentation. The 25% maximum reduction in setback standards appears to only apply to ZA and DRB authority for ESL

residential properties and where no City Council action previously amended the standards.

There are still concerns with the pads and the requested parking reduction.

There have been absolutely no concerns previously expressed by any staff member including Tim and Randy regarding the POTENTIAL pad sites. The pads are purely the result of the layout of the storage building which inadvertently created the opportunity. However there are no known users and the likelihood of ones in the future is questionable based upon the compromised access. As pads would be allowed under the *current* commercial zoning, I don't understand why it would be an issue as part of the *requested* commercial zoning. The sole reason those pad sites are identified is to preclude any subsequent staff confusion should the site plan be tied to the zoning approval as is routinely done. BTW we have prepared in the abstract a conceptual site plan including the pads for our own internal purpose to insure that we could meet all ordinance requirements including drainage. At our open house several folks mentioned that they would like to see a retail or service use developed on the pads if possible. Once gain the pads have never been an issue.

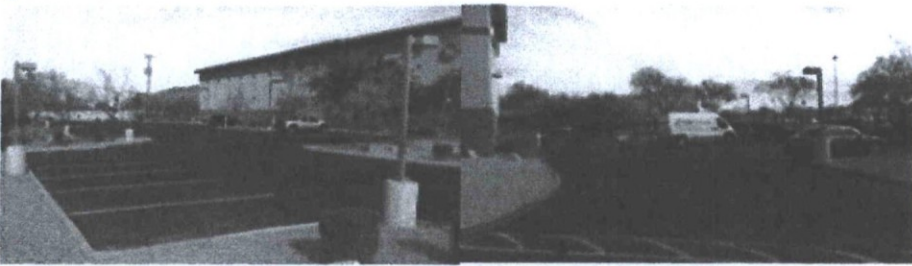
As to the parking reduction. I'm attaching the resubmitted justification so that any reader of this email will have the benefit of what has already been addressed. To bolster that analysis, I counted once again on Saturday morning the dearth of occupied spaces at the same three similar facilities: Life Storage on Bell Road, StorQuest at 94th and Via Linda, and Life Storage at 116th Street and Shea. The results were basically the same as shown in the photos below and updated spreadsheet for both site visits:



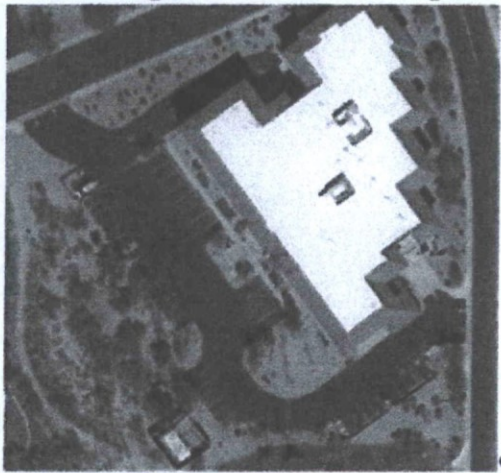
Life Storage Bell Road parking lot



StorQuest parking lot



Life Storage 116th Street/Shea parking lot



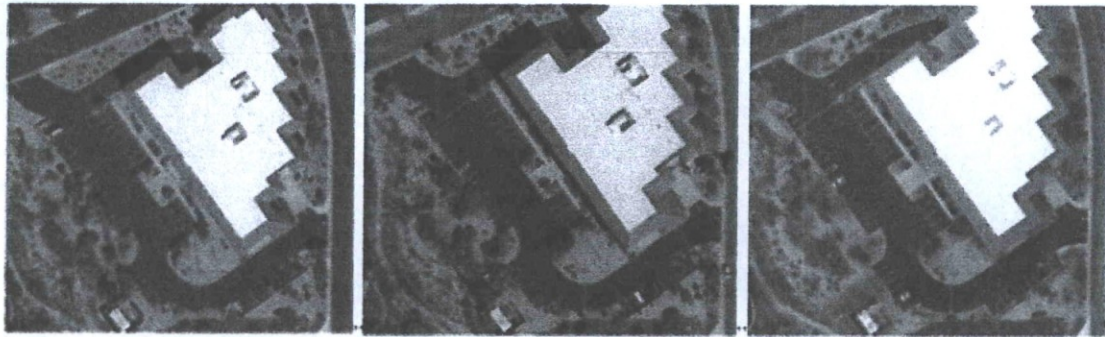
Life Storage 116th Street/Shea (2018 MMC aerial)

	parking required	parking provided	parking demand	
			Sa 12.29.18	Sa 01.05.19
Life Storage 9383 E. Bell Road 140,070 sf	56*	27	3	7
Storquest 9340 N. 94th Street 60,792 sf	25	25	4	1
Life Storage 10670 N. 116th Street 107,650 sf	43	48	4	4

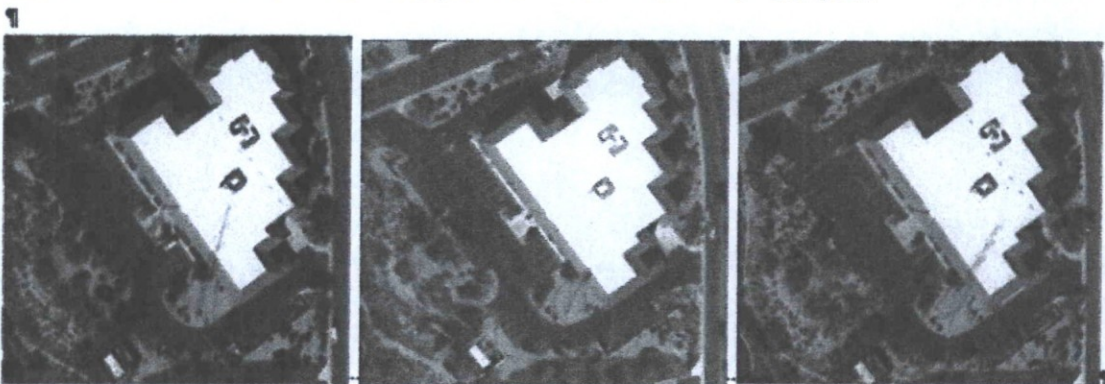
*29 spaces were credited in the outdoor storage area

Below are photos in the City's Historic Aerials that demonstrated the same lack of demand:

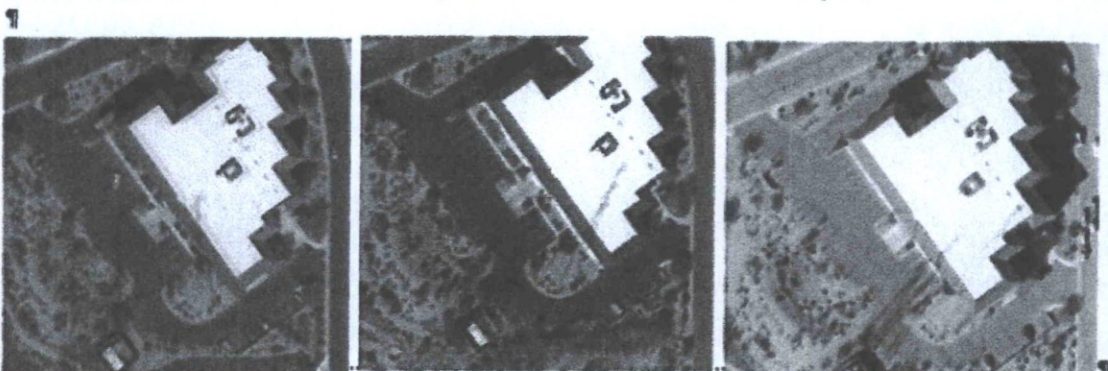
Life Storage 116th Street/Shea: 2002~2017¶



2017 → → → 2015/16 → → → 2014/15¶



2013/14 → → → 2013/12 → → → 2012/10¶



2010/07 → → → 2005/03 → → → 2003/02¶



2000/1999¶

The revised plans are being reviewed by the departments and there may be more comments on the second submittal. Just wanted to follow up on this issue because the site plan needs to change to reflect these setbacks.

Doris the issue persist I would like to meet immediately so we can come to a resolution so as not to delay our PC hearing. Thanks ML

Mike Leary
Michael P. Leary, LTD
Commercial Real Estate Development Consulting
10278 East Hillery Drive
Scottsdale, AZ 85255
(c) 480.991.1111

From: McClay, Doris <DMcClay@scottsdaleaz.gov>
Sent: Friday, January 4, 2019 4:13 PM
To: mike leary
Cc: Curtis, Tim
Subject: McDowell Mountain Community Storage 23-ZN-2018

Hi Mike

To follow up on our conversation at the resubmittal:

There are some zoning districts (Planned Community district and Planned Residential district) which allow amending the development standards more than 25% by the City Council. This property is not within a Planned Community district.

The front yard setback is 40 feet and the west side yard is 50 feet. These are required setback for the C-1 zoning district based on the current R1-35 PCD ESL zoning of the adjacent property. The Environmentally Sensitive Lands Overlay allows a maximum reduction of 25% of the setback if approved by the Development Review Board.

There are still concerns with the pads and the requested parking reduction.

The revised plans are being reviewed by the departments and there may be more comments on the second submittal. Just wanted to follow up on this issue because the site plan needs to change to reflect these setbacks.

Doris McClay
Senior Planner
Current Planning
7447 E. Indian School Road

Scottsdale, AZ 85251

Tele: 480-312-4214

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	parking demand									
	parking required		parking provided		Sa 12/29	Sa 1/5 12:00	mo 1/7 1:00	tu 1/8 5:00	we 1/9 11:00	th 1/10 4:00
Life Storage	56*	27	3	4	7	2	nr	6		
9383 E. Bell Road			5%	7%	13%	4%		11%		
140,070 sf										
Storquest	25	25	4	1	3	1	3	2		
9340 N. 94th Street			16%	4%	12%	4%	12%	8%		
60,792 sf										
Life Storage	43	48	4	4	3	2	7	3		
10670 N. 116th Street			9%	9%	7%	5%	12%	7%		
107,650 sf										

*29 spaces were credited in the enclosed/secured outdoor storage area

Table C
BASE INTENSITY BY
ZONING CATEGORY*

1. RESIDENTIAL USES, EXCLUDING GUEST ROOMS

District	Factor (Dwelling Units/Acre)	District	Factor (DU/AC)
R1-190	.21	R-3	12.93
R1-130	.31	R-4	8.31
R1-70	.55	R-4R	7.54
R1-43	.83	R-5	23.00
R1-35	1.04	S-R	12.44
R1-18	1.87	PNC	4.00
R1-10	3.12	PCC	4.00
R1-7, MH	4.16	PCoC	4.00
R1-5	5.00	PCP	25.00
R-2	7.28		

2. HOTELS, MOTELS, AND RESORTS

District	Factor (Guest Rooms/ Acre)
R-4R	10.62
R-5	33.00
C-2	43.56
C-3	43.56
PRC	21.78
WP	43.56

3. NONRESIDENTIAL USES

District	Factor (Floor Area Ratio)
S-R	.4
C-O, I-G, I-1,	.6
C-1, C-2, C-3, C-4, C-5,	.8
SS, PRC, WP, PCP	
PNC, PCC	.3
PCoC	.2
P-3	1.0

Sec. 7.856. Cluster development option.

The cluster development option is intended to provide an opportunity for more flexibility in platting lots and for site planning under ESL regula-

*These numbers shall be used in calculating the number of units or intensity to be used in a density transfer.

tions than in the underlying zoning districts. Clustering can be administratively approved if the application is in compliance with the standards in section 7.857 (A). This option allows for increased sensitivity to site conditions and permits the clustering of the development onto less land area so portions of the land remain undisturbed. These standards cannot increase the intensity allowed on a development site. Clustering may enable applicants to use the land more efficiently or to utilize more of the allowable intensity. The following limitations apply:

A. The density shall not exceed the applicable density for the parcel. Before this site planning option is applied to a parcel, a determination of density must be approved according to the options and applicable procedures available including:

1. Using table C to determine the base intensity under existing zoning.
2. Using sections 7.852 (B) and (C) to determine permitted density.
3. Using the density transfer procedures to increase the density.
4. Rezoning the parcel.

B. The density that has been approved for any parcel may be allocated to any areas of a parcel with a plat or site plan subject to the following limitations:

1. Development standards may only be modified in compliance with the requirements of section 7.857.
2. The site plan, or plat, must comply with the requirements of section 7.858, site planning standards and guidelines.

(Ord. No. 2305, § 1, 2-19-91)

Sec. 7.857. Amended development standards.

Amended development standards may be approved, in accordance with section 7.857(A) or (B) below, in order to encourage sensitivity to site conditions and to provide flexibility in site planning.

A. Administrative approval process. The project review director may approve amended development standards for the un-

derlying zoning district concurrently with the preliminary plat approval subject to the following:

1. The existing zoning district and proposed use is for single-family dwellings.
2. The minimum area of the development is ten (10) gross acres.
3. The minimum lot sizes may be reduced by no more than thirty (30) percent of the minimum lot size required in the underlying district.
4. Minimum setbacks and minimum distance between buildings of the applicable zoning district requirements may be reduced by no more than twenty-five (25) percent. In no case shall the setback of a garage or carport that opens towards the street be less than twenty (20) feet from the back of curb, or, when present, the back of sidewalk. The minimum side yard or rear yard, where the side or rear yard is adjacent to designated open space tracts may be reduced to five (5) feet except as provided in section (11.154)A.6. Setbacks on the perimeter of the development project shall be equal to or greater than those imposed by the existing zoning on parcels within fifty (50) feet of the perimeter of the development project.
5. If the underlying zoning is R1-18, R1-10, R1-7, or R1-5, one (1) of the side yard setbacks may be zero (0), provided that the dwellings are constructed as single-family detached homes. The minimum distance between buildings is five (5) feet.
6. The development must be served by public or private water and sanitary sewer facilities if the minimum lot sizes are less than sixty thousand (60,000) square feet.
7. The amended development standards are approved concurrently with the preliminary plat.
8. The required common open space is to be permanently maintained as natural open space as demonstrated in docu-

ments satisfactory to the city attorney prior to the issuance of any permits.

9. Demonstrate compliance with the design criteria stated in section 6.205 for planned residential development.
10. Any modified standards for the development shall be recorded on the final plat.
11. The applicant shall demonstrate that the modifications better achieve the purposes of ESL in section 7.810 than the existing standards.



B. Public Hearing Process. The city council may approve amended development standards for the underlying zoning district which exceed the limitations in section 7.857A pursuant to the following:

1. Application and public hearing procedures of section 2.200.
2. In reviewing such applications, the city council shall compare the requested intensity and use to the environmental conditions and to the general plan to determine the appropriateness of the amended development standards.
3. The applicant shall demonstrate that the stated modifications better achieve the purposes of ESL regulations in section 7.810 than the existing zoning.

(Ord. No. 2305, § 1, 2-19-91)

Sec. 7.858. Site planning standards and guidelines.

A. General Standards.

1. Development projects shall employ design techniques which reduce the disruption of the severely constrained areas (SCA) of a parcel defined in section 7.855A.1., reduce the amount of streets and pavement, maximize open space, reduce the length of water and sewer systems, and minimize the restructuring of natural drainage systems.
2. The intensity calculated in sections 7.852 and 7.855 shall be the maximum permitted intensity. A structure or residential building construction envelope that is located in more than one (1) density category

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McClay, Doris

From: Ed Grant IV <egrant4@simaz.com>
Sent: Wednesday, February 06, 2019 2:38 PM
To: mike leary; mike leary
Cc: mafoster272@gmail.com; eric.e.bjorkman@intel.com; cthorpe@righthonda.com; george bell; 'george.bell@landrd.com'; Jim Elson; Jennifer Bell; Joan Bell; McClay, Doris
Subject: Re: McDowell Mountain Community Storage - Planning Commission February 27th meeting

Resending with Doris's correct e-mail address so this is appropriately added to the case file...

Thanks!

Ed

From: Ed Grant <egrant4@simaz.com>
Date: Wednesday, February 6, 2019 at 2:32 PM
To: mike leary <michaelporary@cox.net>, mike leary <yrael@hotmail.com>
Cc: "mafoster272@gmail.com" <mafoster272@gmail.com>, "eric.e.bjorkman@intel.com" <eric.e.bjorkman@intel.com>, "cthorpe@righthonda.com" <cthorpe@righthonda.com>, "dmclay@scottsdaleaz.gov" <dmclay@scottsdaleaz.gov>, george bell <ghbell@landrd.com>, "george.bell@landrd.com" <george.bell@landrd.com>, Jim Elson <j4747e@aol.com>, Jennifer Bell <jbell@landrd.com>, Joan Bell <joanrbell@msn.com>
Subject: Re: McDowell Mountain Community Storage - Planning Commission February 27th meeting

Thanks very much for your note, Mike. I appreciate you letting us know, and look forward to staying involved.

I've attached our previous correspondence for reference, but we believe we still have a few outstanding items that I'd like the Applicant's take on. See attached for detail, but a few thoughts...

1. Again, we'll be looking for some tight stipulations to make sure this develops as it's promised. Accordingly, please detail how the Applicant is going to stipulate/handle that so we can be sure this doesn't get rezoned, and then turned into something other than this plan moving forward. Recall that C-1 also permits additional uses not allowed under the current PCoC designation such as furniture and home furnishing sales, a health and fitness studio, internalized community storage (the subject here), and retail, amongst others. I understand a site plan approval will be included, but those are amended all the time as you know.
2. I too am interested in Eric's question back to you regarding lighting. Internally faced lighting is a big deal for those of us that live in the adjacent area.
3. Curious to know if the McDowell Mountain Ranch HOA has given their take on this, and what their thoughts are, if any?
4. I know you have to do a TIMA as part of the application. Please advise on what your trips for the facility are looking like.

Thanks Mike!

Ed

From: mike leary <outlook_59CA1EDED17AAFFC@outlook.com> on behalf of mike leary <michaelpleary@cox.net>
Date: Wednesday, February 6, 2019 at 12:15 PM
To: Ed Grant <egrant4@simaz.com>, mike leary <yrael@hotmail.com>
Cc: "mafoster272@gmail.com" <mafoster272@gmail.com>, "eric.e.bjorkman@intel.com" <eric.e.bjorkman@intel.com>, "cthorpe@righthonda.com" <cthorpe@righthonda.com>, "dmclay@scottsdaleaz.gov" <dmclay@scottsdaleaz.gov>, george bell <ghbell@landrd.com>, "george.bell@landrd.com" <george.bell@landrd.com>, Jim Elson <j4747e@aol.com>, Jennifer Bell <jbell@landrd.com>, Joan Bell <joanrbell@msn.com>
Subject: McDowell Mountain Community Storage - Planning Commission February 27th meeting

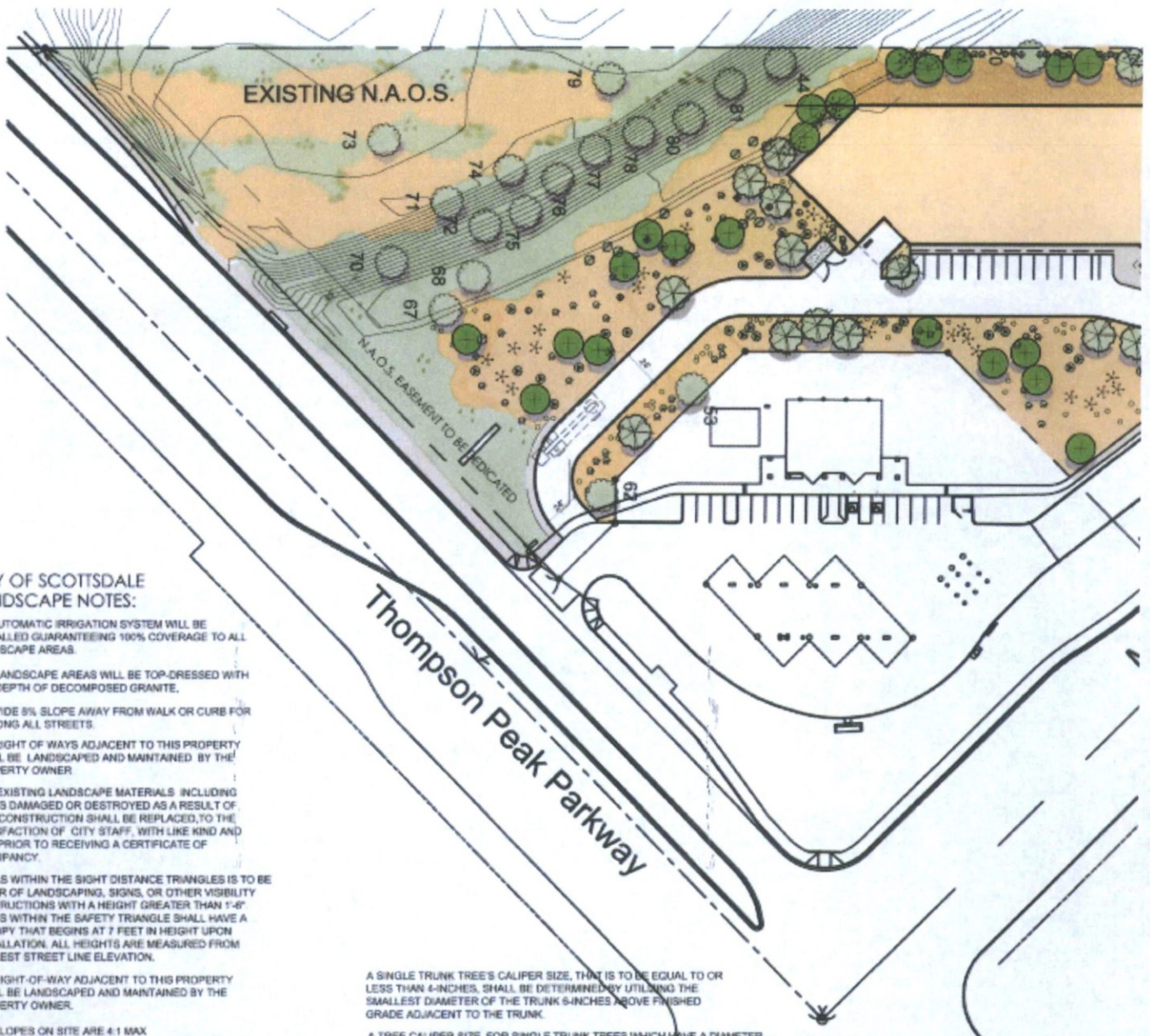
Hi again Ed!

Just giving you and your neighbors a heads up that the City will be sending out a postcard announcing the Planning Commission meeting on February 27th which includes our McDowell Mountain Community Storage development. The project is substantially the same as initially submitted but we've made some adjustments that improve its streetside appearance. We're moving the existing rock-lined channel along with the building further away from the west property line to allow a landscape area for the planting of 36" box trees and other plant material as shown below. The building has also been moved further away from MMRR which allows additional landscaping. The northern portion of the building will be approximately 24' in height and the southern portion approximately 6' higher. For reference the Superpumper store building height is also 24'. The building design remains very conceptual as the design will be a post-zoning cooperative process involving the community, City staff, the McDowell Mountain Ranch HOA Architectural Committee and Board of Directors, and finally the City's Development Review Board. Yep there's a lot of fingers in the pie!

If there are any further questions/comments/concerns, please let me know as I'm available 24/7.

Thanks Ed! ML





CITY OF SCOTTSDALE LANDSCAPE NOTES:

AN AUTOMATIC IRRIGATION SYSTEM WILL BE INSTALLED GUARANTEEING 100% COVERAGE TO ALL LANDSCAPE AREAS.

ALL LANDSCAPE AREAS WILL BE TOP-DRESSED WITH A 2" DEPTH OF DECOMPOSED GRANITE.

PROVIDE 5% SLOPE AWAY FROM WALK OR CURB FOR 5' ALONG ALL STREETS.

ALL RIGHT OF WAYS ADJACENT TO THIS PROPERTY SHALL BE LANDSCAPED AND MAINTAINED BY THE PROPERTY OWNER.

ANY EXISTING LANDSCAPE MATERIALS INCLUDING TREES DAMAGED OR DESTROYED AS A RESULT OF THIS CONSTRUCTION SHALL BE REPLACED TO THE SATISFACTION OF CITY STAFF, WITH LIKE KIND AND SIZE PRIOR TO RECEIVING A CERTIFICATE OF OCCUPANCY.

AREAS WITHIN THE SIGHT DISTANCE TRIANGLES IS TO BE CLEAR OF LANDSCAPING, SIGNS, OR OTHER VISIBILITY OBSTRUCTIONS WITH A HEIGHT GREATER THAN 1'-6". TREES WITHIN THE SAFETY TRIANGLE SHALL HAVE A CANOPY THAT BEGINS AT 7 FEET IN HEIGHT UPON INSTALLATION. ALL HEIGHTS ARE MEASURED FROM NEAREST STREET LINE ELEVATION.

ALL RIGHT-OF-WAY ADJACENT TO THIS PROPERTY SHALL BE LANDSCAPED AND MAINTAINED BY THE PROPERTY OWNER.

ALL SLOPES ON SITE ARE 4:1 MAX.

NO TURF AREAS ARE TO BE PROVIDED.

SEE ARCHITECTURAL SITE PLAN FOR SETBACK DIMENSIONS.

SEE ARCHITECTURAL FOR SITE LIGHTING LOCATIONS. SEE ELECT. DRAWINGS FOR ALL LIGHTING SPECIFICATIONS.

SEE ARCHITECTURAL FOR SITE WALL ELEVATIONS, COLORS.

SEE CIVIL DRAWINGS FOR ALL RETENTION AREAS, SECTIONS, AND SLOPE RATIOS.

SEE ARCHITECTURAL FOR BIKE RACK DETAILS.

ALL SIGNS REQUIRE SEPARATE APPROVALS & PERMITS.

"SETBACK ALL SPRAY & STREAM TYPE IRRIGATION HEADS 1'-0" FROM BACK OF CURB OR SIDEWALK TO REDUCE OVER SPRAY."

A MINIMUM 50 PERCENTAGE (UNLESS OTHERWISE STIPULATED BY THE DEVELOPMENT REVIEW BOARD, under THE ZONING ORDINANCE REQUIREMENTS) OF THE PROVIDED TREES SHALL BE MATURE TREES, PURSUANT TO THE CITY OF SCOTTSDALE'S ZONING ORDINANCE ARTICLE X, SECTION 10.501 AS DEFINED IN THE CITY OF SCOTTSDALE'S ZONING ORDINANCE ARTICLE II, SECTION 3.100.

A SINGLE TRUNK TREE'S CALIPER SIZE, THAT IS TO BE EQUAL TO OR LESS THAN 4-INCHES, SHALL BE DETERMINED BY UTILIZING THE SMALLEST DIAMETER OF THE TRUNK 6-INCHES ABOVE FINISHED GRADE ADJACENT TO THE TRUNK.

A TREE CALIPER SIZE, FOR SINGLE TRUNK TREES WHICH HAVE A DIAMETER GREATER THAN 4-INCHES, SHALL BE DETERMINED BY UTILIZING THE SMALLEST DIAMETER OF THE TRUNK 12-INCHES ABOVE FINISHED GRADE ADJACENT TO THE TRUNK.

A MULTI TRUNK TREE'S CALIPER SIZE IS MEASURED AT 6-INCHES ABOVE THE LOCATION THAT THE TRUNK SPLITS ORIGINATES, OR 6-INCHES ABOVE FINISHED GRADE OF ALL TRUNKS ORIGINATE FROM THE SOIL.

RETENTION/DETENTION BASINS SHALL BE CONSTRUCTED SOLELY FROM THE APPROVED CIVIL PLANS. ANY ALTERATION OF THE APPROVED DESIGN (ADDITIONAL FILL BOULDERS, ECT.) SHALL REQUIRE ADDITIONAL FINAL PLANS STAFF REVIEW AND APPROVAL.

NO LIGHTING IS APPROVED WITH THE SUBMITTAL.

THE LANDSCAPE SPECIFICATION SECTION'S OF THESE PLANS HAVE NOT REVIEWED AND SHALL NOT BE A PART OF THE CITY OF SCOTTSDALE'S APPROVAL.

NEW LANDSCAPING, INCLUDING SALVAGED PLANT MATERIAL, AND LANDSCAPING INDICATED TO REMAIN, WHICH IS DESTROYED, DAMAGED, OR EXPIRES DURING CONSTRUCTION SHALL BE REPLACED WITH LIKE SIZE, KIND, AND QUALITY PRIOR TO THE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY / LETTER OF ACCEPTANCE TO THE SATISFACTION OF THE INSPECTION SERVICES STAFF.

LANDSCAPE PLAN
APPROVED
CITY OF SCOTTSDALE

CASE NUMBER APPROVED DATE

CONSTRUCTION AND INSTALLATION SHALL BE IN ACCORDANCE WITH THIS PLAN AND ANY AND ALL DEVIATIONS WILL REQUIRE REAPPROVAL. LANDSCAPE INSTALLATION TO BE APPROVED BY CITY OF SCOTTSDALE INSPECTION SERVICES BEFORE CERT. OF OCCUPANCY IS ISSUED.

Case No: 00 - DR - 2018

ALL LANDSCAPE AREAS AND MATERIALS INCLUDING THOSE LOCATED IN THE RIGHT-OF-WAY (INCLUDING MEDIANS) SHALL BE MAINTAINED IN A HEALTHY, NEAT, CLEAN, LITTER AND WEED FREE CONDITION IN ADDITION TO THE STANDARDS IN THE SCOTTSDALE DESIGN STANDARDS AND POLICIES MANUAL, ANSI A300 STANDARD PRACTICES FOR PRUNING, SUPPORT SYSTEMS AND SAFETY SHALL BE USED FOR MAINTENANCE CRITERIA. THIS SHALL BE THE RESPONSIBILITY OF PROPERTY OWNER, DEVELOPER, HOME OWNERS ASSOCIATION

LANDSCAPE CONCEPT



DESIGN CONCEPT ONLY

***Mike Leary
Michael P. Leary, LTD
Commercial Real Estate Development Consulting***

***10278 East Hillery Drive
Scottsdale, AZ 85255
(c) 480.991.1111***

From: Ed Grant IV <egrant4@simaz.com>

Sent: Monday, November 5, 2018 10:40 AM

To: mike leary

Cc: mafoster272@gmail.com; eric.e.bjorkman@intel.com; cthorpe@righthonda.com; dmclay@scottsdaleaz.gov; george bell; 'george.bell@landrd.com'; Jim Elson; Jennifer Bell

Subject: Re: 93-PA-2018 (McDowell Mountain Community Storage) - Horseman's Park neighbors

Thanks Mike. I appreciate the through response! Sticking with your theme of colors, please see below in red...

From: mike leary <yrael@hotmail.com>
Date: Sunday, November 4, 2018 at 4:06 PM
To: Ed Grant <egrant4@simaz.com>
Cc: "mafoster272@gmail.com" <mafoster272@gmail.com>, "eric.e.bjorkman@intel.com" <eric.e.bjorkman@intel.com>, "cthrope@righthonda.com" <cthrope@righthonda.com>, "dmclay@scottsdaleaz.gov" <dmclay@scottsdaleaz.gov>, george bell <ghbell@landrd.com>, "george.bell@landrd.com" <george.bell@landrd.com>, Jim Elson <j4747e@aol.com>, Jennifer Bell <jbell@landrd.com>
Subject: Re: 93-PA-2018 (McDowell Mountain Community Storage) - Horseman's Park neighbors

Ed thanks again for the heads-up on the items mentioned in your email. I'm going into probably more detail than necessary but I want to provide as complete a response as possible in the hope of allaying the concerns that were mentioned. Here goes.

- Section 5.2701 of the City's Zoning Ordinance states that the land's existing PCoC designation is designed to provide "basic convenience goods, shopping and services within walking distance of nearby residence". We interpret this to mean exactly what it says, and submit that the existing Superpumper fits that description nicely. Your proposed use would unnecessarily broaden that, however.

Zoning ordinances inevitably have inherent vagaries and the City's PCoC district is a classic anomaly. I was a City Planner back in the 80's when the PCoC district was established as part of the progression of "Planned Centers" - PNC (Neighborhood), PCC (Community) and PRC (Regional). The PCoC purpose statement was gleamed from C-1 per below:

PCoC "This district is intended to provide basic convenience goods shopping and services within walking distance of nearby residences. The district provides for retail and service establishments which supply commodities or perform services to meet the daily needs of the neighborhood."

C-1 "This district is intended to provide a center for convenience shopping and services for nearby neighborhoods. The district provides for small business retail and service establishments which supply commodities and services to meet the daily needs of the community."

PCoC was a well-intended planning attempt to imbed into neighborhoods very limited and small retail uses (originally 1,000 sf max) with residential units above on parcels no greater than 1 acre (curiously the PCoC zoning on this parcel comprises 7.2 acres). The PCoC goal was to encourage - in suburban settings - what works in urban settings. Predictably the concept was less than successful as I am only aware of two properties in the City having PCoC zoning - the subject and one south of Cactus on 94th Street (the southern continuation of Thompson Peak Parkway). Typical of the abundant C-1 commercial developments City-wide, both sites are located on arterial streets - not imbedded in neighborhoods.

I understand the intent of PCoC, and believe it fits right into our goal here...limited and small retail uses. Respectfully, that does not describe what is being proposed. I think the original intent in 1993 was spot on.

- We know, per your letter, that no development has been proposed on this site since the original zoning in 1993. While we do understand that current zoning permits certain uses that may create more traffic "by right", we also feel strongly that the property should be used for what it's entitled to do...provide services within walking distance of nearby residents. A storage facility is hardly a regional use, but it certainly has a more broad reach than walking distance.

The PCoC "miss-zoning" (if that's a word) is the primary reason why the property hasn't developed in the last 25 years. The most significant obstacle is the PCoC zoning precludes any development of this property due its size being well in excess of the maximum. Technically the property has no development rights under PCoC which obviously was an error in the 1993 zoning approval of the 3,200 acre McDowell Mountain Ranch. The "internalized community storage" use was added to C-1 and the other commercial districts back in the 90's not as a neighborhood serving use but a neighborhood "compatible" use. Contrary to the PCoC purpose statement, Superpumper and other similar gas/convenience stores are minimally a community-wide use - not a neighborhood use intended to be within "walking distance of nearby residences".

Fair enough on the community-wide use comment. Self-storage is still too broad for this particular land that's surrounded by so much residential.

- You mention that the site is severely constrained by drainage, but please note that condition did exist prior to acquisition and would have been known before the owner acquired the property.

Although drainage is always a constraint on developing property, ownership was not aware that the rock-lined channel along the western portion of the site was on this property - versus the neighboring property - as the ALTA survey prepared at the time of acquisition did not show it as there is no recorded drainage easement. Also not known until now is the stormwater outflow from the property was blocked when Thompson Peak Parkway was extended over the CAP Canal which has resulted in ponding that backs up into the developable portion of the site.

Sounds like a title claim to me, as it may have been omitted from the ALTA on account of it not being listed as a Schedule B item. As for the stormwater outflow, that too would seemingly been the responsibility of whoever created the condition. Either way, please note that those items should be accounted for in other ways beyond allowing additional uses over what's allowed today.

- The C-1 zoning designation permits additional uses not allowed under the current PCoC designation such as furniture and home furnishing sales, a health and fitness studio, internalized community storage (the subject here), and retail, amongst others. Again, these uses are more broad than the original intent of the PCoC designation and what we feel is appropriate at this location. We're quite comfortable that we have adequate access to these uses at the Basha's, A.J.'s, and Safeway shopping centers...all of which are approximately 1 mile away from our homes. As for storage, those opportunities abound in the area as well.

Although the City Council can't limit uses, it achieves the same effect by routinely limiting zoning approval to a specific site plan which has the effect of precluding another use. Any proposed change in use would necessitate a change in the site plan which would necessitate going back to City Council for consideration. A storage facility has unique functional features that do not lend itself to alternative uses. North of Shea to the City limits is considered underserved having only a handful of storage facilities.

Understood on the City's ability to limit uses. We are not collectively there and ready to support this rezoning. If we do get there though, we'll look for very tight stipulations so that we can be assured what's ultimately developed will be what we expect it to be. Let's have the discussion on the overall effort first though, as I don't yet see the reasoning to support what's proposed.

- Please also note that we did attempt to access your pre-application file via the website provided in your letter, but were unsuccessful via the case number, project name, or applicant name.

Paste the <https://eservices.scottsdaleaz.gov/bldgresources/PreApp/Search> link to your browser:

City of Scottsdale - Pre-Application Meeting Search

eservices.scottsdaleaz.gov

Pre-Application Process; Scottsdale Maps; The pre-application is the first step in the processing of all development requests. SUBMIT ONLINE OR FILL OUT THE FORM ABOVE AND BRING TO PLANNING AND DEVELOPMENT INCLUDING REQUIRED ATTACHMENTS.; Call Records at 480-312-2356 for current zoning, parcel #, and quarter section #. Incomplete pre-applications will not be accepted.

Under "Month and Year" select "ENTIRE" and "2018". Under "Pre-app-number" enter "93-PA-2018" and then hit the "SEARCH" button. What comes up is nothing more than what's in the letter. Hardly helpful at this stage but it's what the City requires to be included in the outreach letter. After the zoning application is filed, a zoning number will be assigned and detailed information about the application will be available online.

Again I'm sorry about the length of my responses but hopefully in this case "more is better than less". Once again feel free to give me a buzz with any questions/comments/concerns.

Hope this helps. ML

***Mike Leary
Michael P. Leary, LTD
Commercial Real Estate Development Consulting***

***10278 East Hillery Drive
Scottsdale, AZ 85255***

From: Ed Grant IV <egrant4@simaz.com>
Sent: Thursday, November 1, 2018 8:23 AM
To: mike leary
Subject: Re: 93-PA-2018 (McDowell Mountain Community Storage) - Horseman's Park

Thanks Mike. Normally a call is fine, but I'm knee deep in work until Tuesday. Should we just chat at your open house?

From: mike leary <yrael@hotmail.com>
Date: Wednesday, October 31, 2018 at 11:25 AM
To: Ed Grant <egrant4@simaz.com>
Subject: Re: 93-PA-2018 (McDowell Mountain Community Storage) - Horseman's Park

Ed thanks so much for the specific concerns and politeness. It's rare.

We both understand the trepidation that arises with new development proposals and I really appreciate your neighborhood involvement sooner than later. I'm looking for the best way to respond and I'm thinking a phone call with you would be a good start. **Does that work Ed??**

Mike Leary
Michael P. Leary, LTD
Commercial Real Estate Development Consulting

10278 East Hillery Drive
Scottsdale, AZ 85255
(c) 480.991.1111

From: Bjorkman, Eric E <eric.e.bjorkman@intel.com>
Sent: Wednesday, October 31, 2018 9:10 AM
To: Ed Grant IV; michaelpleary@cox.net
Cc: dmcclay@scottsdaleaz.gov; mafoster272@gmail.com; cthroe@righthonda.com; Bjorkman, Eric E; Amy Bjorkman (dramybjorkman@yahoo.com)
Subject: RE: 93-PA-2018 (McDowell Mountain Community Storage)

Well worded, thank you Ed. I will attend next Wednesday. Do you think it would be worthwhile to bring this issue to the attention of any of our neighbors on Monte Cristo and see if they would like to be part of our organized objections? I'm not sure if adding a few more faces to the attendance on Wednesday would make a difference at this point in the process or not. We know the neighbors next door and across the street (Emma actually knows them and we know them through her) well enough that I'm happy to knock on a couple of doors (those with stars below) later this week....



From: Ed Grant IV [mailto:egrant4@simaz.com]
Sent: Wednesday, October 31, 2018 8:55 AM
To: michaelpleary@cox.net
Cc: dmcclay@scottsdaleaz.gov; mafoster272@gmail.com; Bjorkman, Eric E
<eric.e.bjorkman@intel.com>; cthroe@righthonda.com
Subject: 93-PA-2018 (McDowell Mountain Community Storage)

On behalf of the Bjorkman, Foster, Grant, & Thorpe families, all of whom are residents of the Horseman's Park subdivision, we wanted to contact you regarding the proposed McDowell Mountain Community Storage project. While we understand that the final details of your proposed project have yet to be rolled out, please understand that we generally object to the effort to rezone this property based upon the following:

- Section 5.2701 of the City's Zoning Ordinance states that the land's existing PCoC designation is designed to provide "basic convenience goods, shopping and services within walking distance of nearby residence". We interpret this to mean exactly what it says, and submit that the existing Superpumper fits that description nicely. Your proposed use would unnecessarily broaden that, however.
- We know, per your letter, that no development has been proposed on this site since the original zoning in 1993. While we do understand that current zoning permits certain uses that may create more traffic "by right", we also feel strongly that the property should be used for what it's entitled to do...provide services within walking distance of nearby residents. A storage facility is hardly a regional use, but it certainly has a more broad reach than walking distance.
- You mention that the site is severely constrained by drainage, but please note that condition did exist prior to acquisition and would have been known before the owner acquired the property.
- The C-1 zoning designation permits additional uses not allowed under the current PCoC designation such as furniture and home furnishing sales, a health and fitness studio, internalized community storage (the subject here), and retail, amongst others. Again, these uses are more broad than the original intent of the PCoC designation and what we feel is appropriate at this location. We're quite comfortable that we have adequate access to these uses at the Basha's, A.J.'s, and Safeway shopping centers...all of which are approximately 1 mile away from our homes. As for storage, those opportunities abound in the area as well.

Please also note that we did attempt to access your pre-application file via the website provided in your letter, but were unsuccessful via the case number, project name, or applicant name.

Finally, we are planning to attend your open house next Wednesday and hear more about the case at that time. As a fellow real estate professional myself, however, I thought it important to make you aware of our objection sooner as opposed to later.

Thanks very much for the chance to offer this input.

Ed Grant



January 24, 2019

Michael Leary
10278 E Hillery Drive
Scottsdale, AZ

RE: 23-ZN-2018
McDowell Mountain Community Storage

Dear Mr. Leary

The Planning & Development Services Division has completed the review of the above referenced development application submitted on 12/31/18. The following **2nd Review Comments** represent the review performed by our team, and is intended to provide you with guidance for compliance with city codes, policies, and guidelines related to this application.

Zoning Ordinance and Scottsdale Revise Code Significant Issues

The following code and ordinance related issues have been identified in the second review of this application, and shall be addressed in the resubmittal of the revised application material. Addressing these items is critical to scheduling the application for public hearing, and may affect the City Staff's recommendation. Please address the following:



Drainage:

1. Please submit two (2) copies of the revised Drainage Report with the original red-lined copy of the report to me with the rest of the resubmittal material identified in Attachment A. Please provide a written response for each of the following drainage review comments and comments within the Drainage Report on an 8 ½ inch by 11 inch paper, do not write the responses in the drainage report. Describe the city review comments and explain how it was addressed. Identify the section in the report that contains the analysis. The second review will not begin without this response letter from the drainage engineer:
 - Parcel K is comprised of the gas station (GS) property and the proposed McDowell Mountain Community Storage (MMCS). It appears that the 100yr, 2hr stormwater storage volume was provided for Parcel K and it appears half the storage volume is on the GS site and half is on the MMCS site. Please quantify this storage volume and preserve it. This will be the minimum stormwater storage volume requirement for the two properties.
 - The site design for the proposed McDowell Mountain Community Storage (MMCS) is entirely based on approval from the gas station property owner to all the MMCS property owner to enter their site and alter their stormwater retention basins on the gas station (GS) site. Please obtain the GS property owners signed and notarized approval to enter their property and alter the stormwater basins prior to



this zoning level drainage report being submitted for subsequent reviews by the City. No subsequent drainage report submittals shall be submitted to the City for this zoning case until this approval from the GS owner is provided. The approval shall include a preliminary grading and drainage plan and a separate preliminary drainage report for the modifications to the GS site. Half of the existing total stormwater storage volume in the two surface basins will be required to remain on the GS site. Please provide 24"x36" scaled drawings, scaled elevation views and detailed calculations to show the work in determining the storage volume of the existing stormwater storage basins. The preliminary drainage report and site design must demonstrate the stormwater runoff from the GS site will drain to the basins. Describe all utility conflicts and how they will be resolved. Provide a detailed construction phasing exhibit and summary for both sites.

- The scale for the pre and post development exhibits is too small and makes them unreadable. Use a larger scale such as 1 inch = 20 ft. The exhibits show too much offsite areas that are not relevant. Use additional exhibits to show offsite areas that are relevant. Use more exhibits to clearly represent the complexity of this project.
- Please obtain the drainage report and improvement plans from the upstream developments from Rick Engineering, Wood Patel or the City's Records Department and use the hydrology and hydraulic information from these documents to analyze the MMCS site. Otherwise, we suggest you use the rational method to determine the offsite flowrates entering this MMCS property. Please show and label the flow path for each sub area drainage basin and identify the parameters of the flow path and describe why you selected these values. If you choose to use another method to analyze the watershed, then prior to beginning your work you must meet with city stormwater staff to discuss your method of analysis, parameter selections and presentation of results.
- The exhibits are not readable because of the heavy line weights you use to represent existing contours and a lack of legible contour elevation labels. All future exhibits must show the existing contours shaded back 50% compared to new contours and site plan information. The drainage report will not be allowed to be submitted to the city for review without complying with this criteria.
- Describe in detail how the limits of inundation for the ponding that occurs on this property was determined. Describe the method of analysis and what software was used. Describe all the design parameters that were required for the analysis, what they mean, and the why the value chosen is appropriate for this site. State the source that was used to select these values. Provide photos from the site to support your values. Summarize the results of the analysis, use a table to present the data. Show and label the pre and post limits of inundation for the ponding on this property.
- The ponding volume on this property cannot be displaced onto adjoining properties. Please define the ponding volume and provide compensatory stormwater storage volume on this property. Describe the method of analysis and summarize the results. Show how and where the compensatory stormwater storage volume will be placed on the post development grading and drainage plan. Provide a scaled 24"x36" exhibit showing the plan and elevation views of the ponding volume.

- The water surface elevations on adjoining properties cannot be increased. Describe all the design parameters that were required for the analysis, what they mean, and why the value chosen is appropriate for this site. State the source which was used to select these values. Provide photos from the site to support the values. Summarize the results of the analysis, use a table to present the data. Show and label the pre and post limits of inundations along the Old Verde Canal for the ponding on this property and adjoining properties.
- The tributary map is not readable or legible. Shade back the contours, don't use extra heavy line weights to define drainage sub areas, it covers up the contours. Provide legible contour labels, using a minimum 1/8 inch letter height. Show parcel numbers and property owners names for all adjoining properties. Show and label the basin flow paths, show and label all hydraulic structures, pipe size, pipe material, pipe/culvert inverts, street names, property lines when relevant, storage basins, storage basin volumes, use lots of flow arrows to show how runoff drains to the flow path and to exit points of the sub areas, show the time of concentrations for the flow paths. Use shading to show the aerial photo overlayed on the contours, this is also known as a context aerial photograph. Use a large scale for the exhibits and use multiple exhibits to show the many different drainage sub areas. Provide a key map for the drainage sub areas.
- A minimum 1/8 inch lettering height is required for all exhibits and calculations.
- Delete all language related to first flush storage volume and bio swales. They are not relevant to this project.
- Identify all historical entry and exit locations for stormwater runoff. Clearly label these locations and values on the exhibits. Quantify the flowrates for the 100 yr and 10 yr storm events. The design on this site cannot increase the post development flowrates above the pre-development flowrates. Describe the method of analysis and all the design parameters that were required for the analysis, what they mean, and the why the value chosen is appropriate for this site. State the source you used to select these values. Provide photos from the site to support the values. Summarize the results of the analysis, use a table to present the data.
- Please obtain the drainage report and improvement plans from Rick Engineering or the City's Records Dept and use the hydrology and hydraulic information from these documents to analyze the MMCS site (see below).

REVISIONS		DATE	APP.
NO.	DESCRIPTION		
 RICK ENGINEERING COMPANY 4502 NORTH 40TH STREET PHOENIX, ARIZONA 85018 BUS: (602) 957-2750 FAX: (602) 958-0148			
McDOWELL MOUNTAIN RANCH APARTMENTS PHASE II			
GRADING & DRAINAGE PLANS			
SUBMITTED BY: 	DESIGNED BY: LM DRAWN BY: SH CHECKED BY: MR DATE: AUG 1995	SHEET 1 OF 14	PROJECT NO. 1840A

30703

REVISIONS		DATE	APP.
NO.	DESCRIPTION		
 RICK ENGINEERING COMPANY 4502 NORTH 40TH STREET SUITE 100 PHOENIX, ARIZONA 85008 BUS: (602) 957-2750 FAX: (602) 958-0148			
McDOWELL MOUNTAIN APARTMENTS			
GRADING, DRAINAGE & PAVING PLANS			
SUBMITTED BY: 	DESIGNED BY: LM DRAWN BY: LM, JT, FR CHECKED BY: MR DATE: AUG 1995	SHEET 1 OF 13	PROJECT NO. 1840A

30690

IMPROVEMENT PLANS



VICINITY & KEY MAP
N.T.S.

[illegible]

CLOUSE ENGINEERING
WATER & POWER PLAN
COVER SHEET & KEY MAP
PARAZZINI, LANE & THOMPSON PEAR

WILLIAM WILSON
WILLIAM WILSON
WILLIAM WILSON
WILLIAM WILSON
WILLIAM WILSON
WILLIAM WILSON

SH
OF

28503

5246

HORSEMAN'S PARK

IMPROVEMENT PLANS

COVER SHEET



WOOD/PAT

CIVIL ENGINEERING
HYDROLOGISTS

Lead Scientist
Wildlife Partners

Persons All 800

Y-axis: 1992-1993
X-axis: 1993-1994

FACTS

2. Gas Identification

JOSE TORRES

REVENUE

69 頁 222

DATE _____

1 OF 3

[illegible]

02000401

1

4690-00-22

4690-00-19

~~XXXXXXXXXXXX~~

PP-90 4690-

35-2N-90

Page 100

FILE COPY

6.48

2. Please consider showing the building at the proposed amended (as revised) setbacks for drainage purposes.

Please resubmit the revised application requirements and additional/supplemental information identified in Attachment A, Resubmittal Checklist, and a written summary response addressing the comments/corrections identified above as soon as possible for further review. The City will then review the revisions to determine if the application is to be scheduled for a hearing date, or if additional modifications, corrections, or additional/supplemental information is necessary.

PLEASE CALL 480-312-7000 TO SCHEDULE A RESUBMITTAL MEETING WITH ME PRIOR TO YOUR PLANNED RESUBMITTAL DATE. DO NOT DROP OFF ANY RESUBMITTAL MATERIAL WITHOUT A SCHEDULED MEETING. THIS WILL HELP MAKE SURE I'M AVAILABLE TO REVIEW YOUR RESUBMITTAL AND PREVENT ANY UNNECESSARY DELAYS. RESUBMITTAL MATERIAL THAT IS DROPPED OFF MAY NOT BE ACCEPTED AND RETURN TO THE APPLICANT.

In an effort to get this Zoning District Map Amendments request to a Development Review Board / Planning Commission hearing, please submit the revised material identified in Attachment A as soon as possible.

The Planning & Development Services Division has had this application in review for 39 Staff Review Days since the application was determined to have the minimal information to be reviewed.

These **2nd Review Comments** are valid for a period of 180 days from the date on this letter. The Zoning Administrator may consider an application withdrawn if a revised submittal has not been received within 180 days of the date of this letter (Section 1.305. of the Zoning Ordinance).

If you have any questions, or need further assistance please contact me at 480-312-4214 or at dmcclay@ScottsdaleAZ.gov.

Sincerely,


Doris McClay
Senior Planner

ATTACHMENT A
Resubmittal Checklist

Case Number: **23-ZN-2018**

Please provide the following documents, in the quantities indicated, with the resubmittal (all plans larger than 8 ½ x11 shall be folded):

- ☒ One copy: COVER LETTER – Respond to all the issues identified in the first review comment letter.
- ☒ One copy: Revised CD of submittal (CD/DVD, PDF format)

Technical Reports: Please provide one (1) digital copy of each report requested

- ☒ 2 copies of Revised Drainage Report:
- ☐ _____ copies of Revised Storm Water Waiver:
- ☒ _____ copies of Revised Water Design Report:
- ☒ _____ copies of Revised Waste Water Design Report:

Resubmit the revised Drainage Reports, Water and Waste Water Report and/or Storm Water Waiver application to your Project Coordinator with any prior City mark-up documents.

December 31, 2018

Doris McClay, Senior Planner
Scottsdale Planning
7447 E. Indian School Road
Scottsdale, AZ 85251

RE: 23-ZN-2018

McDowell Mountain Community Storage – responses to 1st review letter

Doris thanks for all of your help and guidance. Below are the 1st Review letter comments along with our responses to each. If you should have any questions, please let me know ASAP as we are expecting that the staff 2nd review will go smoothly and we can be scheduled for PC no later than mid-February. Thanks again! ML

Zoning Ordinance and Scottsdale Revise Code Significant Issues

The following code and ordinance related issues have been identified in the first review of this application, and shall be addressed in the resubmittal of the revised application material. Addressing these items is critical to scheduling the application for public hearing, and may affect the City Staff's recommendation. Please address the following:

General Plan

1. To better serve the community, please identify each Goal & Approach citation in its entirety. Please number goals and approaches (bullets) so they are more easily identifiable in the narrative. **Done see Attachment A**
2. Please respond to Goal 4, bullet 5, of the Character and Design Element specific to the subject site falling within the Natural Streetscape Type, illustrating how the proposed development provides compatibility with the natural desert in terms of plantings etc. Additionally, please respond to bullets 9 and 11 by modifying the proposed site plan in the provision of a 40' buffered setback along North Thompson Peak Parkway. **Done**
3. Additionally, please respond to Goal 1, bullets 5, 9, 10, 11, 14, 15, 17, 18, 19, 20, 21, and 22 of the Open Space Element which seeks to protect and improve the quality of Scottsdale's natural and urban environments as defined in the quality and quantity of its open spaces.
 - Case 1-GP-2004, identified Scenic Roadway Designations as part of the 2001 General Plan. North Thompson Peak Parkway is designated as a Buffered Roadway, and East McDowell Mountain Ranch Road, a Desert Scenic Roadway. Desert Scenic Roadways are the one-mile and half mile roads within the Environmentally Sensitive Lands Overlay that are not already

23-ZN-2018
12/31/2018

designated as a Scenic Corridor or Buffered Roadway. Notable, setbacks on these roadways will vary based on the topography and specific site conditions. In these areas roadways rely on the placement of NAOS and zoning setbacks to achieve an open space corridor along the road – in many areas meandering. Please discuss the method of application in providing open space along this frontage. With a resubmittal, please identify this roadway as designated. For reference, see the following link:
<https://eservices.scottsdaleaz.gov/eServices/cases/casesheet.aspx?caseid=26962>

Done

4. Please respond to Goal 7 of the Character and Design Element which encourages sensitive outdoor lighting that is context appropriate. Please include in the response details on the height, size and location of any site and exterior building lighting proposed. Please note that the subject site falls within the E3-Suburban lighting zone. Lighting designs should be designed to minimize glare and light trespass, to implement energy conservation, and to maintain dark skies. Considerations to pre-curfew and post-curfew lighting designs with automatic control systems to eliminate excessive light during inactive hours of site and building operation should be utilized. Additional information on the City's adopted exterior and site lighting design guidelines can be located at:
<https://www.scottsdaleaz.gov/planning-development/long-range-planning/lighting>

Done

5. Please respond to Goal 3, bullet 1, of the Land Use Element which intends to ensure that neighborhood edges transition to one another by considering appropriate land uses, development patterns, character elements and access to various mobility networks. To this end, in a resubmittal narrative please remark what considerations have been made in developing the proposed site plan to be context appropriate.

Done

6. In a resubmitted narrative, please respond to Goal 7, bullets 1, 2, 3 and 5, of the Land Use Element which focuses on the importance of sensitively integrating land uses into the surrounding physical and natural environments, the neighborhood setting and the neighborhood itself. **Done**

7. Please provide a response to Goal 3 of the Economic Vitality Element which seeks to attract new high value/low impact businesses that contribute to Scottsdale's sales and property tax base. Please remark upon the operations of the proposed facility with regard to onsite residency, the purpose of such residency (if any), and the number of employees this location will provide. **Done**

8. Please respond in a resubmitted narrative to Goal 10, Bullets 1, 3, 4, 5, and 6 of the Environmental Planning Element which encourages green building techniques in the design and construction of buildings in a desert climate.

- Considering the above-mentioned response, please also respond to the Scottsdale Sensitive Design Principles. For reference, please see the following link: <https://www.scottsdaleaz.gov/design/design-guidelines#principles>

Done

9. Please respond in the resubmitted narrative to Goal 11, Bullets 3, 7, 9, and 10 of the Community Mobility Element in the provision expanding opportunities for building “community” through neighborhood mobility. Please note that along the site frontage of Thompson Peak Parkway and through the Old Verde Canal an unpaved trail designated by the city’s Transportation Master Plan; please identify this item on the site plan upon resubmittal. **Done**

10. As a response to Goal 1 of the Community Involvement Element, with the resubmittal, please provide an updated Citizen Involvement Report that describes the key issues that have been identified through the public involvement process.

Done

Zoning:

11. The Neighborhood Commercial (C-1) district requires a minimum front yard of the adjacent residential district where the C-1 district is on the same side of the street and is located within 100 feet of a residential lot zoned with a single-family residential district or a single-family residential portion of a Planned Community P-C district (Zoning Ordinance Section 5.1304.D.1a). The property located on the west side of the subject property is zoned R1-35 PCD ESL and is part of the Horseman’s Park Planned Community district. The front yard setback of this residential property is 40 feet. Please revise the site plan to comply with the required 40 front yard setback (see comment #3). **The adjoining property retains the R1-35 annexation zoning but a general plan amendment was approved in Case 10-GP-2005 from “cultural/institutional/public use” to “urban residential” which is a multi-family classification. We are requesting an amendment to the C-1 development standards to correspond to the adjoining property being eventually zoned and developed as multi-family residential per Attachment D.**
12. Under Section 5.1304.2a of the Neighborhood Commercial (C-1) district, the side yard required on the west side of the property is 50 feet. Based on the submitted site plan, it appears that the setback shown is 30 feet. Please revise the site plan to comply with the required 50 feet setback and dimension on site plan. This larger setback may help with drainage. **See response above. The drainage way does not require a width greater than 30 feet and the preference is to have more open space in the front rather than the rear of the building.**
13. The Environmentally Sensitive Lands (ESL) Overlay on this property allows properties to request amended development standards. Under Section 6.1083 minimum

setbacks may be reduced up to 25 percent. If this development wishes to request amended development standards for the setbacks, please revise the narrative to include this information, justify the amended development standards and revise the site plan. **The referenced 25% reduction applies to staff or DRB approvals only. The narrative has been revised addressing the requested amendment to building setback to the west and McDowell Mountain Ranch Road.**

14. The ESL Overlay requires that the building height be measured from the natural grade of the subject property (Zoning Ordinance Section 6.1070.B.1a). The building elevations show the building height at 34 feet above the finished floor, but it appears that the building height is higher based on the natural grade. Please provide a roof over topography plan to demonstrate that the building complies with the maximum allowed height of 36 feet from natural grade. **Building heights are measured from natural grade and have been reduced as shown on the revised elevations.**
15. Table 9.103A of the Zoning Ordinance requires parking for internalized community storage at 1 space per 2,500 square feet of gross floor area. The site plan indicates 96,795 square feet of gross floor area which would require 39 parking spaces. Zoning Ordinance requires rounding up for parking calculations. Through the parking master plan, the Zoning Administrator can approve a reduction up to 20% of the required parking. A reduction more than 20% of the required parking must be approved by City Council. The parking study submitted requests a reduction from the 39 required parking spaces to 14 parking spaces which is approximately a 64% reduction (25 parking spaces). On the most recent internalized community storage projects (9-ZN-2017 and 8-ZN-2018) 1 space per 2,500 square feet of gross floor area parking calculation was used without any reductions. This extensive reduction does not seem warranted so consider adding more parking. **See detailed response Attachment B.**
16. Please remove the dashed lines for future pads or identify all required development standards and dimension all required improvements associated with these pads on the site plan per the Zoning Ordinance and the Design Standards and Policy Manual. **Done – dashed lines removed.**

Wastewater: Added Notes 6 & 7 related to private sewers per the resubmitted Preliminary Utility Plan

17. Please be advised Scottsdale Revised Code 49-118 requires the following for private sewers:
 - Private sewers shall be installed within all non-subdivided commercial or industrial properties. Private sewers shall not be installed within a public utility easement or right-of-way except to connect to a public sewer.
 - (d) Two (2) or more buildings located on the same parcel or on contiguous lots under different ownership may be provided service through one (1) or more private sewer lines provided:

- (1) There is an established, incorporated association or management firm which is responsible for payment of the sewer service charge; and
- (2) Each parcel or lot has a City-owned sewer line frontage on at least one (1) side of each parcel or lot; and
- (3) The association or management firm does not charge a fee to connect individual parcels to a private sewer line.

Fire:

18. Access roads shall extend to within 300' of all portions of the building (Fire Ord 4283 503.1.1). Please demonstrate on the site plan. **Done**
19. Please demonstrate the required minimum drive width of 24' (Fire Ord 4283 503.2.1) on the site plan. **Done**

Drainage:

20. Please submit two (2) copies of the revised Drainage Report with the original red-lined copy of the report to me with the rest of the resubmittal material identified in Attachment A. Provide a written response for each drainage review comment from the drainage engineer. Explain how each comment was addressed. **Done**

Archaeology: **Pending**

21. Please revise the Class III Cultural Resource Survey (SRSF) as follows:
 - a. In the SHPO Survey Report Abstract please provide the COS Application Number (Agency Project Number);
 - b. In the Abstract the Site Summary Table is missing;
 - c. On the title page the report date is missing (only month and year are provided);
 - d. In the Project Description please specify the Land ownership/funding source;
 - e. In the Environmental Setting please provide discussion regarding historic vegetation in addition to the current conditions which are noted in the report;
 - f. In the Background Research section, please indicate whether the City of Scottsdale Historic Preservation Office sources were reviewed;
 - g. Figure A-1 indicates previous projects and previously recorded sites making it difficult to read. Please provide a separate map for each type of information;
 - h. Figure A-1 does not depict previous projects 1988-109.ASM, SHPO-2010-0235, SHPO-2001-2272, and SHPO-2004-0638, but these projects are listed on the table. Please revise Figure A-1 accordingly;
 - i. Please identify the site recording criteria that were used for the report;
 - j. Please provide the professional qualifications of the individual performing the survey, and project management;
 - k. Please provide specified historic contexts based on previous research, that were used for evaluating the significance of the cultural resources;
 - l. In the Survey Results section, the last sentence appears to belong to a different report. The previous paragraph suggests the 4.7-acre parcel was surveyed

- using transects spaced 20 m apart, but the last sentence refers to a survey of 20 acres at 15 m apart, which would apply to surveys on federal lands;
- m. Recommendations Section, please provide a specific recommendation for the appropriate type of certificate based on the findings in this report;
 - n. In Section 21 Discovery Clause; provide reference to the Scottsdale Revised Code Sec. 46-134 Discovery Clause;
 - o. The survey identified a newly recorded site and a newly recorded segment of previously recorded Rio Verde Canal/AZ T:8:65(ASM). Please provide an ASM site number for the newly recorded site (51622-1), per SHPO Revised Survey Report Standards Part B, Section 8, Subsection a (January 2017);
 - p. Determination of significance per Scottsdale Revised Code, Chapter 46, Article VI, is provided for the Rio Verde Canal/AZ T:8:65(ASM), but not for Site 51622-1;
 - q. Arizona/NRHP eligibility recommendations relating to a specific research theme and with discussions of aspects of integrity, are provided for the Rio Verde Canal/AZ T:8:65(ASM), but not for Site 51622-1. Please clarify and revise discussion accordingly;
 - r. Revise the site descriptions to:
 - i. include elevation;
 - ii. include observations of the area's depositional environment in respect to the site's potential to contain subsurface deposits;
 - iii. include recommendations regarding the need for additional work/research; and
 - iv. include an assessment of effect, or provide appropriate mitigation measures for the Rio Verde Canal/AZ T:8:65(ASM), which is recommended eligible for the Scottsdale/Arizona/NRHP;
 - s. Provide detailed site maps. Both sites are shown on a topographic map background (Figure A-2), and Site 51622-1 is shown on a contemporary aerial photograph background (Figure A-3);
 - t. The Summary and Management Recommendations section provides a summary of results but no management recommendations. Please revise accordingly;
 - u. Please provide an appropriate recommendation for Certificate of No Effect or Certificate of Approval.

Significant Policy Related Issues

The following policy related issues have been identified in the first review of this application. While these issues may not be critical to scheduling the application for public hearing, they may affect the City Staff's recommendation pertaining to the application and should be addressed with the resubmittal of the revised application material. Please address the following:

Site Design:

22. Please consider eliminating signs and reducing lighting on the west and south sides of the subject property. **No signs are proposed on the west or north side of the building. Monument signs are shown at each driveway entrance to distinguish access to storage facility from the gas station. No lighting has been proposed on the west or north side of the building.**
23. DSPM 2-1.309: Non-Residential, Mixed-Use, and Multi-Family Residential developments shall provide the refuse enclosures in accordance with 1 enclosure for every 20,000 square feet of building space. Please provide the square footages proposed for pads and storage office. Number of refuse enclosures required should be based on this square footage. Location and placement of additional refuse enclosures to follow this provision of DSPM. Please revise the site plan to show additional refuse enclosures. **Sanitation has routinely allowed a single enclosure for storage facilities.**

Circulation:

24. Please be advised that a dedication of a minimum 25-foot wide non-motorized public trail easement over the Verde Canal and Thompson Park Parkway site frontage southwest of the canal intersection will be required. DSPM Sec. 8-3.200, Trail Classifications, 8-3.202; 2004 Trails Master Plan, Trail Network. Please show the public trail easement on the site plan. **Done**

Technical Corrections

The following technical ordinance or policy related corrections have been identified in the first review of the project. While these items are not as critical to scheduling the case for public hearing, they will likely affect a decision on the final plans submittal (construction and improvement documents) and should be addressed as soon as possible. Correcting these items before the hearing may also help clarify questions regarding these plans. Please address the following:

Site:

25. The building elevations show the building height at 34 feet from finished floor. Please revise the open space calculation and the site plan height information from 30 feet to 34 feet. **Building height has been lowered and open space recalculated.**
26. Sewer service should be from existing manhole on 18-inch pipe to the south, connecting to one of two existing lateral at manholes to the south on Thompson Peak Parkway. **Sewer service moved to existing lateral on manhole to the south per resubmitted Preliminary Utility Plan.**
27. Please identify the existing one-foot wide vehicular non-access easements and sight distance easements on the site plan. **Shown on separate site plan easement exhibit.**

28. Please identify the existing 40-foot wide ingress/egress easement along the western property line on the site plan. **The private – not public - easement was granted in 1976 to David Dodge for ingress, egress and public utility purposes. The easement will be extinguished and removed from title.**
29. Please align the new access aisle with the existing site driveway on McDowell Mountain Ranch Road or offset the aisle 50 feet to the southeast. **Aligned the new aisle with the existing driveway.**
30. Please be advised divided entrances and drive thru by pass lanes shall be 20' wide minimum (DS&PM 2-1.303(2)). **Noted**
31. Demonstrate fire lane surface will support 83,000 lbs. GVW to include any bridge/culvert crossing (DS&PM, 2-1.303(3)). **Added Note 5 on resubmitted Preliminary Utility Plan regarding fire lane and 83,000 lbs GVW.**
32. Please demonstrate COMMERCIAL turning radii (25' inner/49' Outside /55' Bucket Swing) (DS&PM 2-1.303(5)). **Done**
33. Please demonstrate the location of the Fire Riser room (DS&PM 6-1.504(1)). **Done**
34. Please be advised the unobstructed vertical clearance minimum is 13'6" (Fire Ord. 4283, 503.2.1). **Noted**
35. Please designate Fire Lanes for all Commercial / Multi-Family (24' min.) on the site plan (Fire Ord. 4283, 503.3). **Done**
36. Please demonstrate Hydrant spacing, existing and proposed on the site plan (Fire Ord. 4283, 507.5.1.2). **Added dimension showing fire hydrant spacing.**
37. Please demonstrate the location of the Fire Department Connection on the site plan (Fire Ord. 4283, 912). **Added FDC location outside of riser room.**
38. Please illustrate all existing on-site easements and update site plan accordingly. **Existing easements shown on separate site plan exhibit.**

Other:

39. Please be advised a dedication of a cross access easements over the shared site driveways and shared access aisles to allow both parcels to access the existing driveways on Thompson Park Parkway and McDowell Mountain Ranch Road will be required. There is an existing access easement from the McDowell Mountain Ranch Road. **Shared access is recorded in MCR #2002-0640384 and 2004-911678 per Attachment C.**

GENERAL PLAN ELEMENTS

CHARACTER AND DESIGN ELEMENT

- 3. Encourage the transition of land uses from more intense regional and citywide activity areas to less intense activity areas within local neighborhoods.**

- Ensure that neighborhood edges transition to one another by considering appropriate land uses, development patterns, character elements and access to various mobility networks.

The property is isolated from residential areas and adjoins an existing service station, Westworld's barren detention basin, and planned multi-family/office on three remaining small properties to the west.

- 4. Encourage "streetscapes" for major roadways that promote the city's visual quality and character, and blend into the character of the surrounding area.**

A 40' Buffered Setback is provided along Thompson Peak Pkwy along with an NAOS easement comprising the Old Verde Canal and area immediately south.

- Ensure compatibility with the natural desert in **Natural** streetscape areas. Plant selection should be those that are native to the desert and densities of planting areas should be similar to natural conditions.

The streetscape along Thompson Peak Parkway is retained in its desert natural state and plantings along McDowell Mountain Ranch Road will be revegetated with native desert plants.

- 7. Encourage sensitive outdoor lighting that reflects the needs and character of different parts of the city.**

Building lighting is proposed on the east elevation facing TPP and not the north or west elevations. No pole lighting is proposed which supports the dark sky goal.

OPEN SPACE ELEMENT

- 1. Protect and improve the quality of Scottsdale's natural and urban environments as defined in the quality and quantity of its open spaces.**

The Old Verde Canal and the area south of the canal are being retained in their native desert state and secured by an NAOS easement.

ATTACHMENT A

23-ZN-2018
12/31/2018

- **Develop a non-paved public trail system for hiking, mountain biking, and horseback riding and link these trails with other city and regional trails.**

A non-paved trail is being required although the need is questionable based upon the other pathways immediately south which begin and end on TPP and MMRR.

- **Protect the visual quality of open space, unique city characteristics, and community landmarks.**

Although not on the Scottsdale Historic Register the Old Verde Canal is being retained in its natural state.

- **Preserve scenic views and vistas of mountains, natural features, and rural landmarks.**

As mentioned above, although not on the Scottsdale Historic Register the Old Verde Canal is being retained in its natural state.

- **Relate the character of open spaces to the uses and character of different areas of the city.**

Open spaces are predominantly maintained with the Old Verde Canal and the area immediately south which responds to the goals of the ESL ordinance.

- **Preserve and integrate visual and functional connections between major city open spaces into the design of development projects.**

Open space/NAOS areas are provided along TPP and MMRR.

- **Evaluate open space design with these primary determinants: aesthetics, public safety, maintenance needs, water consumption, drainage considerations, and multi-use and desert preservation.**

The ordinance required open space is greatly exceeded by an NAOS area which maximizes the desert aesthetics, requires minimal if any maintenance, and has zero water consumption. Existing drainageways are retained..

- **Promote project designs that are responsive to the natural environment, people's needs, site conditions, and indigenous architectural approaches to provide unique character for the city.**

The proposed development maintains the native desert environment, provides a neighborhood and community use that doesn't exist in the area, and the architectural approach will be defined as part of the DRB process.

- Apply a **Scenic Corridor** designation along major streets to provide for open space and opportunities for trails and paths. This designation should be applied using the following guidelines:
 - * There is a need for a landscaped buffer between streets and adjacent land uses.
 - * An enhanced streetscape appearance is desired.
 - * Views to mountains and natural or man-made features will be enhanced.

Although TPP is not a Scenic Corridor a 40' Buffered Setback is provided.

- Consider Buffered Roadways to provide the streetscape with a unique image that should also reduce the impacts of a major street on adjacent parcels. This type of designation is primarily an aesthetic buffer.

As stated above a 40' Buffered Setback is provided along TPP.

- Apply a Desert Scenic Roadway designation along the one mile and a half mile streets within the Environmentally Sensitive Lands Ordinance (ESLO) district that are not classified as scenic Corridors or Buffered Roadways to maintain and enhance open space along roadways in ESL areas.

Desert Scenic Roadways are to be located on one-mile and half-mile roadways within ESL. MMRR is located approximately 3,800' south of Bell Road (not 5,280' or 2,640') and exists for just 2 miles from 96th Street to Bell Road.

As such MMRR doesn't meet the criteria or intent.

- Apply up to a 100 foot scenic buffer along streets within and adjacent to the Recommended Study Boundary of the McDowell Sonoran Preserve on undeveloped (as of 10-04-2005) properties of 25 acres or larger.

Does not apply.

3. Encourage the transition of land uses from more intense regional and citywide activity areas to less intense activity areas within local neighborhoods.

- Ensure that neighborhood edges transition to one another by considering appropriate land uses, development patterns, character elements and access to various mobility networks.

Storage facilities are considered an extremely benign use as they generate very little traffic and little to no on-site or off-site impacts.

LAND USE ELEMENT

3. **Encourage and support a diversity of businesses that contribute to Scottsdale's sales and property tax base so that needed infrastructure, physical amenities, services, and the expansion of such services are provided.**

The proposed use increases property taxes and generates sale taxes while providing a service that is missing in the area and which doesn't put a burden on infrastructure or City services.

7. **Sensitively integrate land uses into the surrounding physical and natural environments, the neighborhood setting, and the neighborhood itself.**

- **Protect sensitive natural features from incompatible development, and maintain the integrity of natural systems.**

The Old Verde Canal is being retained in its natural state.

- **Incorporate appropriate land use transitions to help integrate into surrounding neighborhoods.**

The property is isolated from nearby – not surrounding – neighborhoods.

The rezoning request is from one neighborhood classification (PCoC) to another similar neighborhood district (C-1).

- **Focus intense land uses along major transportation networks (such as the Pima Freeway and major arterial streets) and in urban centers (such as Old Town and the Airport). Less intense land uses should be located within more environmentally sensitive lands.**

The storage facility is an extremely benign use and is located within ESL.

- **Sensitively integrate neighborhood services, schools, parks, and other civic amenities into the local physical and natural environments by establishing reasonable buffers and preserving the integrity of the natural terrain and open space networks.**

Does not apply

- **Incorporate open space, mobility, and drainage networks while protecting the area's character and natural systems.**

The vast amount of NAOS, proposed trail and roadway sidewalks satisfy this goal. Drainageways are unaffected by the proposal.

ECONOMIC VITALITY ELEMENT

3. **Encourage and support a diversity of businesses that contribute to Scottsdale's sales and property tax base so that needed infrastructure, physical amenities, services, and the expansion of such services are provided.**

The proposal replaces a vacant parcel with inconsequential property taxes and no sales tax with a commercial facility that greatly increases property taxes and generates sales tax revenue. The business has extremely low impact on the environment, infrastructure and City services. No residency is associated with the use and 2-3 individuals will be employed.

ENVIROMENTAL PLANNING ELEMENT

10. **Encourage environmentally sound "green building" alternatives that support sustainable desert living.**

- **Incorporate healthy, resource- and energy-efficient materials and methods in design, construction, and remodeling of buildings.**

Green building concepts will be incorporated with the development of the property. Significantly, the number of parking spaces are proposed to be eliminated thereby reducing pavement materials and the contribution to the heat island effect.

- **Protect and enhance the natural elements of all development sites.**

The vast NAOS/Open Space retain the natural elements of the site.

- **Improve the energy efficiency of the building envelope, equipment, and appliances.**

The building does not require glazing on the sun intensive west elevation which greatly reduces solar heat gain. Energy efficient equipment will be utilized.

- **Use low impact building materials.**

The majority of the building façade will utilize concrete block which is locally manufactured.

COMMUNITY MOBILITY ELEMENT

11. Provide opportunities for building "community" through neighborhood mobility.

- Strive for the highest standards of safety and security for all motorized and non-motorized modes.
Does not apply
- Promote non-motorized travel for short neighborhood trips, such as homes to schools, parks, libraries, retail centers, and civic spaces.
The nature of the use does not lend itself to short neighborhood pedestrian trips but does maintain the pedestrian access to the adjoining service station/convenience store.
- Provide a high level of service for pedestrians through facilities that are separated and protected from vehicle travel (e.g., placing landscaping between curbs and sidewalks).
Vehicle parking is located adjoining the building sidewalk which greatly reduces vehicular conflicts with pedestrians.
- Emphasize strong pedestrian orientation (e.g. shaded safe paths, links to civic spaces) to foster a strong sense of community.
The nature of the use does not create pedestrian activity. However shade structures are provided at the building entrance and loading areas.

SENSITIVE DESIGN PRINCIPLES

1. The design character of any area should be enhanced and strengthened by new development.
 - o Building design should consider the distinctive qualities and character of the surrounding context and, as appropriate, incorporate those qualities in its design. *The building design once defined will incorporate distinctive qualities that enhance the immediate design aesthetic.*
 - o Building design should be sensitive to the evolving context of an area over time. *The property is an infill parcel and therefore there is no evolving context.*
2. Development, through appropriate siting and orientation of buildings, should recognize and preserve established major vistas, as well as protect natural features such as:
 - o Scenic views of the Sonoran desert and mountains. *The proposal does not impact views of the desert or mountains.*
 - o Archaeological and historical resources. *The proposal retains the Old Verde Canal.*
3. Development should be sensitive to existing topography and landscaping.
 - o A design should respond to the unique terrain of the site by blending with the natural shape and texture of the land while minimizing disturbances to the natural environment. *The proposal retains approximately 1/3 of the site in NAOS/open space.*
4. Development should protect the character of the Sonoran desert by preserving and restoring natural habitats and ecological processes. *Natural habitats and ecology are maintained by virtue of preserving the Old Verde Canal and the adjoining area to the south.*
5. The design of the public realm, including streetscapes, parks, plazas and civic amenities, is an opportunity to provide identity to the community and to convey its design expectations
 - o Streetscapes should provide continuity among adjacent uses through use of cohesive landscaping, decorative paving, street furniture, public art and integrated infrastructure elements. *The proposal maintains the desert landscaping theme of the adjoining service station's frontage on TPP and MMR.*
6. Developments should integrate alternative modes of transportation, including bicycles and bus access, within the pedestrian network that encourage social contact and interaction within the community. *By nature of its use the project doesn't interface with alternative modes of transportation.*
7. Development should show consideration for the pedestrian by providing landscaping and shading elements as well as inviting access connections to adjacent developments. Canopies are anticipated at the building entrance and loading areas.
 - o Design elements should be included to reflect a human scale, such as the use of shelter and shade for the pedestrian and a variety of building masses. *Human scale elements will be provided at the building entrance.*
8. Buildings should be designed with a logical hierarchy of masses:
 - o To control the visual impact of a building's height and size
 - o To highlight important building volumes and features, such as the building entry. *Once defined the building massing will be broken up and utilize design elements that visually reduce the perceived height.*
9. The design of the built environment should respond to the desert environment:

Interior spaces should be extended into the outdoors both physically and visually when appropriate. *Not applicable for this type of use.*

Materials with colors and coarse textures associated with this region should be utilized.

- o A variety of textures and natural materials should be used to provide visual interest and richness, particularly at the pedestrian level. Materials should be used honestly and reflect their inherent qualities. *The preliminary building design is intended to use an array of concrete types to provide architectural interest.*

- Features such as shade structures, deep roof overhangs and recessed windows should be incorporated. *Shade structures are anticipated at the building entry and loading areas. Minimal glazing is anticipated.*
10. Developments should strive to incorporate sustainable and healthy building practices and products.
- Design strategies and building techniques, which minimize environmental impact, reduce energy consumption, and endure over time, should be utilized. *The anticipated use of concrete block meets this goal.*
11. Landscape design should respond to the desert environment by utilizing a variety of mature landscape materials indigenous to the arid region.
- The character of the area should be emphasized through the careful selection of planting materials in terms of scale, density, and arrangement. *Desert landscaping will be used in areas outside of NAOS.*
 - The landscaping should complement the built environment while relating to the various uses. *Desert landscaping will be used in area outside of NAOS which complements the service station landscaping palette.*
12. Site design should incorporate techniques for efficient water use by providing desert adapted landscaping and preserving native plants.
- Water, as a landscape element, should be used judiciously. *Drip systems will be used outside of NAOS areas and the remaining areas will have desert plants with the intent of disconnecting irrigation and have the mature plants survive on natural precipitation.*
 - Water features should be placed in locations with high pedestrian activity. *No water features are proposed.*
13. The extent and quality of lighting should be integrally designed as part of the built environment.
- A balance should occur between the ambient light levels and designated focal lighting needs. *Lighting will be restricted to building mounted lighting for pedestrian safety and building security. No lighting is proposed on the west and north elevation. No parking lot pole lighting is proposed.*
 - Lighting should be designed to minimize glare and invasive overflow, to conserve energy, and to reflect the character of the area. *Same as above.*
14. Signage should consider the distinctive qualities and character of the surrounding context in terms of size, color, location and illumination.
- Signage should be designed to be complementary to the architecture, landscaping and design theme for the site, with due consideration for visibility and legibility. *Building signage will be restricted to the east and south sides. Entry monument signs at the TPP and MMR driveways will distinguish the storage entry drive from the share service station access.*

PARKING REDUCTION JUSTIFICATION

The submitted parking demand study substantiates that storage facilities generate far fewer spaces than currently required by ordinance. Previous parking studies for other facilities in the City have reached the same conclusion and have been the basis for routine approvals of 20% reductions allowed at a staff level. However those same studies have indicated a significantly greater reduction is warranted. In previous discussions with staff regarding a text amendment, significantly greater reductions have been supported. In the absence of a text amendment the only additional relief mechanism is through the City Council. Understandably most developers eschew public hearing processes including City Council to achieve reductions that reflect true demand. As the proposed McDowell Mountain Community Storage facility is already in the public hearing process, requesting the parking reduction is believed as a way to further meet many of the stated goals of the General Plan in encouraging environmentally sensitive and sustainable development that respects the desert setting by reducing solar heat gain, minimizing impervious surfaces and runoff, and utilizing best practices and smart development.

An example of another parking study that supports further reductions is one conducted by SWTE for the Wentpro facility under construction at 17492 N. 91st Street. At 120,520 sf the parking requirement is 48 spaces yet the parking study calculated 13 as stated below. By comparison our proposed project is 96,800 sf and the Kimley-Horn parking study indicates 11 spaces and we are providing 14.



Peak Parking Evaluation

Peak parking generation for the project was developed utilizing nationally agreed upon data contained in the *Institute of Transportation Engineers (ITE) Parking Generation Manual, 4th Edition, 2010*. The peak period of parking demand is the hour (or hours) of the day which the highest parking demand rate typically occurs. When the peak parking demand rate occurs over a several hours of the day, the average parking demand rate of these peak periods is calculated and used to predict the required number of spaces to meet the highest parking demand.

So as to provide analysis of the peak period of parking demand for the project, parking generation was estimated for 120,520 square feet of building space based on the ITE Land Use Code (LUC) 151, Mini-Warehouse. For a weekday the peak period for parking demand occurs from 10:00 AM to 12:00 PM and 4:00 PM to 5:00 PM. The average peak period parking demand rate was used to determine the weekday parking demand. The peak period parking demand for Saturday occurs from 9:00 AM to 10:00 AM.

The ITE peak period parking requirements for a mini-warehouse are shown in Table 4 for a weekday, Saturday, and the number of storage units.

Table 4 – ITE Peak Parking Requirements

Land Use	Required Parking	Condition	Minimum Parking Spaces
Mini-Warehouse	$P=0.07x+4$ per 1000 s.f. of gross floor area	Weekday	12
Mini-Warehouse	0.11 space per 1000 s.f. of gross floor area	Weekend	13
Mini-Warehouse	$P=0.90x+2$ per 100 storage spaces	Per Storage Units	10

As shown in Table 4, the highest required number of parking spaces based on the ITE peak period parking demand is thirteen (13) parking spaces on a Saturday.

Greg Engel a developer of storage facilities in Scottsdale provided the following information:

"I am not sure how much weight the opinion of a storage guy means to staff, but we have developed and acquired about 60 storage locations including about 5-6 developments in Scottsdale. The newer, multi level properties (I think they call in Internalized Community Storage) have huge numbers of never used parking spaces. . . . For example, right now I am working on a new storage development in another high end community with a very sophisticated zoning code. Including RV it's over 144,000 SF with a 1,300 SF rental office. We are required to have 10 spaces for the storage and 6 for the office."

Regarding the two referenced zoning cases, both projects have a basement floor which is not calculated in the parking requirement and resulted in a 33% reduction.

In conclusion the parking reduction is based upon ITE criteria, reflects what is occurring with existing facilities in north Scottsdale, and furthers the stated goals of the General Plan by encouraging environmentally sensitive and sustainable development that respects our desert setting by reducing solar heat gain, minimizing impervious surfaces and runoff, and utilizing best practices and smart development.

Performing a reality check, three similar and closest facilities in the north Scottsdale area were observed Saturday December 30th at various times between 9:00 am and 2:00pm. The observations were stunning in the lack of parking occurring during Saturday peak hours on the last weekend of the month. The dearth of parking might be explained by the location of these facilities in a very suburban area in upscale north Scottsdale. Below is the number of spaces required, provided and the highest number of spaces occupied.

	parking required	parking provided	parking demand
Life Storage 9383 E. Bell Road 140,070 sf	56* (29 storage stalls credited)	27	3
StorQuest 9340 N. 94th Street 60,792 sf	25	25	4
Life Storage 10670 N. 116th Street 107,650 sf	43	48	4



Life Storage Bell Road west parking lot



StorQuest south parking lot



StorQuest east parking lot



Life Storage 116th Street south parking lot



Life Storage 116th Street west parking lot

When recorded, return to:

Henry L. Timmerman, Esq.
The Cavanagh Law Firm, P.A.
1850 N. Central Avenue, Ste. 2400
Phoenix, AZ 85004

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RECIPROCAL EASEMENT AGREEMENT

2202780-17 2/3
BY THIS AGREEMENT, dated this 20th day of June, 2002, Giant Industries Arizona, Inc., an Arizona corporation ("GIANT") and DuSel International, LLC, an Arizona limited liability company, ("DUSEL") agree as follows:

1. RECITALS.

- 1.1 GIANT is the owner of property described in Exhibit "A" to be subdivided, with GIANT retaining ownership of the property described in Exhibit "C" attached (the "GIANT Parcel KB"), upon which GIANT proposes to operate a gas station/convenience store ("Gas Station"), and
- 1.2 DUSEL is the buyer/owner of the resultant subdivided property described in Exhibit "B" attached (the "DUSEL Parcel KA"), and
- 1.3 It is to the mutual benefit of GIANT and DUSEL to cooperate in operating their properties, including the creation of necessary cross easements including but not limited to, ingress/egress drives, vehicular and pedestrian traffic, and water retention and flood control.

2. VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS EASEMENTS.

- 2.1 GIANT hereby grants to DUSEL, its successors and assigns, and its tenants (including their permitted subtenants, permitted assignees, employees, invitees and agents) and DUSEL hereby grants to GIANT, its successors and assigns, and its tenants (including their permitted subtenants, permitted assignees, employees, invitees, and agents) easements for the nonexclusive use of the premises hereinafter described as driveways, entrances, and exits to adjacent driveways, streets and roads on their respective site plans/legal descriptions as described on Exhibits "B" and "C" attached hereto.
- 2.2 The parties retain the right to reasonably relocate the driveways, entrances and exits to their respective property. Any such relocation shall require the approval of the other party to this Agreement, which approval shall not be unreasonably withheld. Notwithstanding the foregoing, DUSEL may relocate the existing entrance to its property on McDowell Mountain Ranch Road, without the prior consent of GIANT, so long as the new entrance is within twenty (20) feet of the existing entrance.

Re: McDowell Mountain Ranch
CAVPHXDB:944358.1

Page 1

3. CROSS-PARKING EASEMENTS.

- 3.1 GIANT hereby grants to DUSEL, its successors and assigns, and its business invitees (customers) the right to use and park upon any and all designated parking areas at the Gas Station and to cross on and over any driveways, entrances, exits, and walks for that purpose, such entrances, exits, and walks, provided, however, such rights shall be subject to and governed by all rules and regulations in effect from time to time that may be applicable to occupants at the Gas Station.
- 3.2 DUSEL hereby grants to GIANT, its successors and assigns, and its business invitees (customers) the right to use and park upon any and all designated parking areas on the DUSEL Parcel KA and to cross on and over any driveways, entrances, exits, and walks for that purpose, such entrances, exits, and walks, provided, however, such rights shall be subject to and governed by all rules and regulations in effect from time to time that may be applicable to all occupants of the DUSEL Parcel KA.
- 3.3 For the purpose of calculating the minimum parking spaces required for the construction of improvements on the GIANT Parcel KB and the DUSEL Parcel KA, each party may utilize only those parking spaces located within its respective parcel of real property.
- 3.4 Each party retains the right with respect to its respective parcel of real property to reasonably designate certain parking spaces as reserved for tenants or business invitees.
- 3.5 Nothing contained herein prohibits either party from reconfiguring the designated parking areas on their respective property.

4. EASEMENTS REGARDING WATER RETENTION AND FLOOD CONTROL.

Each party hereby grants to the other party to this Agreement, and their respective successors and assigns, non-exclusive easements to utilize any excess portion of the other party's water retention and flood control basin.

5. TERM.

The term of the reciprocal easements created herein shall commence as of the time of recording of this Agreement with the Maricopa County Recorder's Office, and continue in effect perpetually thereafter until and unless terminated by duly recorded agreement executed by the then holders of the fee simple interest of the GIANT Parcel KB and the DUSEL Parcel KA.

6. IMPROVEMENTS.

Except as otherwise provided in this Agreement, the parties agree that no improvements affecting the cross easements granted herein shall be constructed on these

2004-911670

Unofficial Document

WHEN RECORDED, RETURN TO:

Lila Madden (_____)

One Stop Shop RECORDS

City of Scottsdale

7447 East Indian School Road, Suite 100

Scottsdale, AZ 85251

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ACCESS EASEMENT

PROJECT NO. 4064-99A

QS 35-52

GIANT INDUSTRIES, ARIZONA, INC

Grantor(s), for valuable consideration, does (do) hereby grant

GIANT INDUSTRIES, ARIZONA, INC., Grantee(s), its successors and assigns, a perpetual easement for access across the real estate situated in the City of Scottsdale, State of Arizona, and described as follows:

**AN ACCESS EASEMENT AS DESCRIBED IN THE LEGAL DESCRIPTION AND
AS DEPICTED ON THE SKETCH ATTACHED HERETO AND MADE PART THEREOF**

And the Grantor(s) hereby covenants that s/he (they) is (are) lawfully seized and possessed of this aforementioned tract or parcel of land; that s/he (they) has (have) a good and lawful right to sell and convey it; and that s/he (they) will warrant the title and quiet possession thereto against the lawful claim of all persons.

DATED this 7th day of FEBRUARY, 2000.

Director Facility Design & Construction

State of Arizona)

)ss

County of Maricopa)

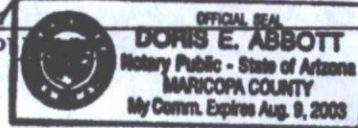
This instrument was acknowledged before me this 7th day of

February, 2000, by JOHN C. HOSMAR

In witness whereof I hereunto set my hand and official seal.

Donis E. Abbott

NOTARY P



My commission expires Aug. 9, 2003

ACCESS EASEMENT

GIANT INDUSTRIES
NEIGHBORHOOD STORE
15550 N. THOMPSON PEAK PARKWAY

LEGAL DESCRIPTION

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 3 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

THE BASIS OF BEARINGS FOR THE BEARINGS USED IN THIS DESCRIPTION ARE FROM THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, HAVING A BEARING OF NORTH 89 DEGREES 59 MINUTES 05 SECONDS WEST;

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER (SOUTH QUARTER CORNER OF SECTION 5);

THENCE MEASURE ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER NORTH 00 DEGREES 14 MINUTES 58 SECONDS WEST 629.22 FEET;

THENCE CONTINUING ALONG SAID WEST LINE OF THE SOUTHEAST QUARTER NORTH 00 DEGREES 14 MINUTES 58 SECONDS WEST 1077.26 FEET;

THENCE SOUTH 44 DEGREES 36 MINUTES 00 SECONDS EAST 26.00 FEET;

THENCE SOUTH 45 DEGREES 24 MINUTES 00 SECONDS WEST 15.00 FEET;

THENCE SOUTH 44 DEGREES 36 MINUTES 00 SECONDS EAST 60.00 FEET;

THENCE NORTH 45 DEGREES 24 MINUTES 00 SECONDS EAST 15.00 FEET;

THENCE SOUTH 44 DEGREES 36 MINUTES 00 SECONDS EAST 109.32 FEET;

THENCE SOUTH 45 DEGREES 24 MINUTES 00 SECONDS WEST 16.00 FEET;

THENCE SOUTH 44 DEGREES 36 MINUTES 00 SECONDS EAST 101.12 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 44 DEGREES 36 MINUTES 00 SECONDS EAST 42.37 FEET;

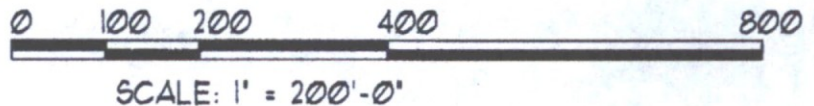
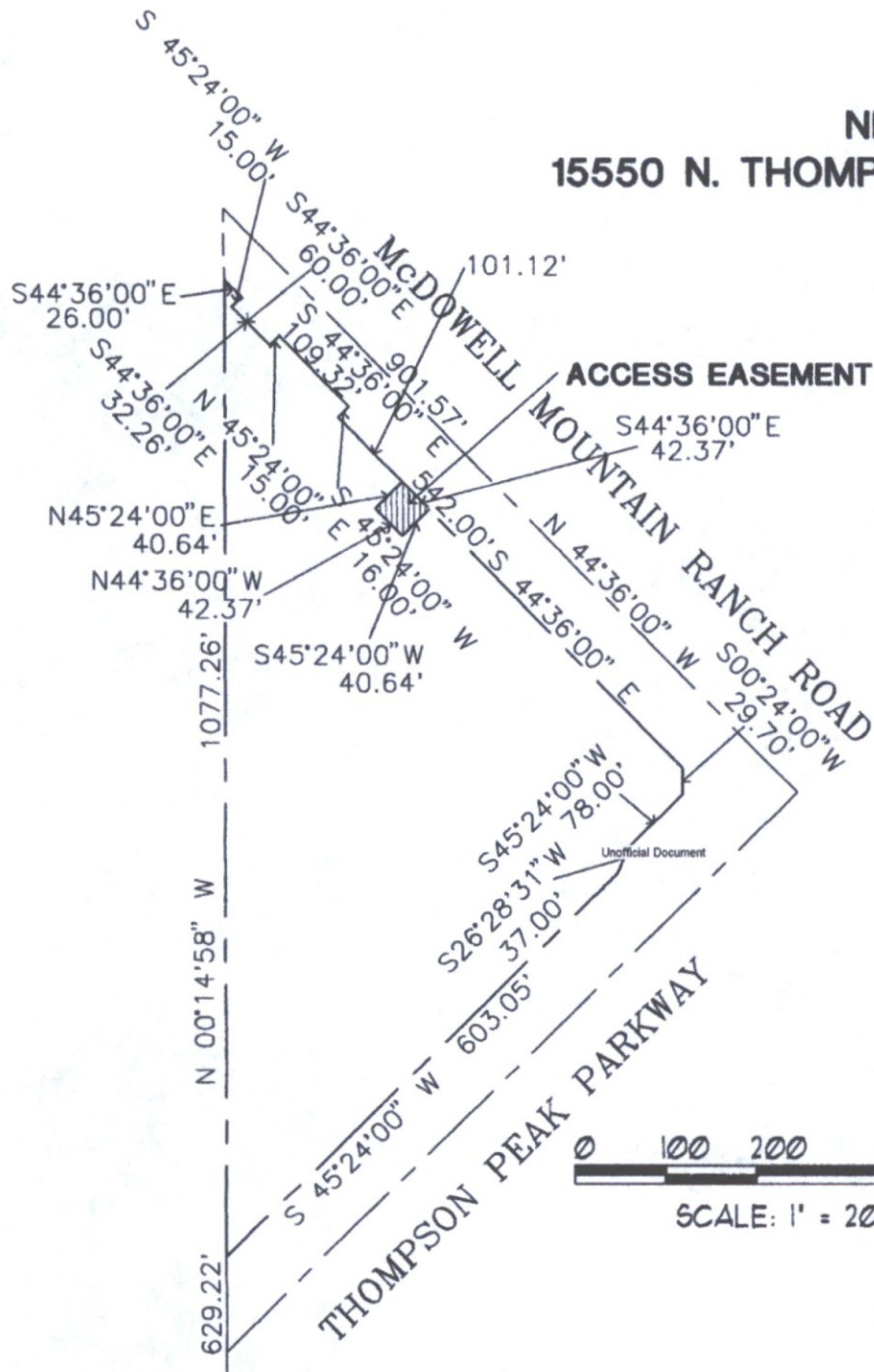
THENCE SOUTH 45 DEGREES 24 MINUTES 00 SECONDS WEST 40.64 FEET;

THENCE NORTH 44 DEGREES 36 MINUTES 00 SECONDS WEST 42.37 FEET;

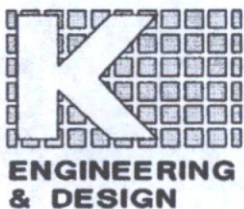
THENCE NORTH 45 DEGREES 24 MINUTES 00 SECONDS EAST 40.64 FEET TO THE POINT OF BEGINNING.

AREA: 1,737 S.F.





Lyndell L. Kume



Zygmunt M. Kwasnica, P.E.
1666 South Flint Circle
Mesa, Arizona 85202
480-839-9207
FAX 480-839-8283



December 13, 2018

Michael Leary
10278 E Hillery Drive
Scottsdale, AZ 85255

RE: 23-ZN-2018
McDowell Mountain Community Storage

Dear Mr. Leary:

The Planning & Development Services Division has completed the review of the above referenced development application submitted on 11/9/18. The following **1st Review Comments** represent the review performed by our team, and is intended to provide you with guidance for compliance with city codes, policies, and guidelines related to this application.

Zoning Ordinance and Scottsdale Revise Code Significant Issues

The following code and ordinance related issues have been identified in the first review of this application, and shall be addressed in the resubmittal of the revised application material. Addressing these items is critical to scheduling the application for public hearing, and may affect the City Staff's recommendation. Please address the following:

General Plan

1. To better serve the community, please identify each Goal & Approach citation in its entirety. Please number goals and approaches (bullets) so they are more easily identifiable in the narrative.
2. Please respond to Goal 4, bullet 5, of the Character and Design Element specific to the subject site falling within the Natural Streetscape Type, illustrating how the proposed development provides compatibility with the natural desert in terms of plantings etc. Additionally, please respond to bullets 9 and 11 by modifying the proposed site plan in the provision of a 40' buffered setback along North Thompson Peak Parkway.
3. Additionally, please respond to Goal 1, bullets 5, 9, 10, 11, 14, 15, 17, 18, 19, 20, 21, and 22 of the Open Space Element which seeks to protect and improve the quality of Scottsdale's natural and urban environments as defined in the quality and quantity of its open spaces.
 - Case 1-GP-2004, identified Scenic Roadway Designations as part of the 2001 General Plan. North Thompson Peak Parkway is designated as a Buffered Roadway, and East McDowell Mountain Ranch Road, a Desert Scenic Roadway. Desert Scenic Roadways are the one-mile and half mile roads within the Environmentally Sensitive Lands

Overlay that are not already designated as a Scenic Corridor or Buffered Roadway. Notable, setbacks on these roadways will vary based on the topography and specific site conditions. In these areas roadways rely on the placement of NAOS and zoning setbacks to achieve an open space corridor along the road – in many areas meandering. Please discuss the method of application in providing open space along this frontage. With a resubmittal, please identify this roadway as designated. For reference, see the following link:
<https://eservices.scottsdaleaz.gov/eServices/cases/casesheet.aspx?caseid=26962>

4. Please respond to Goal 7 of the Character and Design Element which encourages sensitive outdoor lighting that is context appropriate. Please include in the response details on the height, size and location of any site and exterior building lighting proposed. Please note that the subject site falls within the E3-Suburban lighting zone. Lighting designs should be designed to minimize glare and light trespass, to implement energy conservation, and to maintain dark skies. Considerations to pre-curfew and post-curfew lighting designs with automatic control systems to eliminate excessive light during inactive hours of site and building operation should be utilized. Additional information on the City's adopted exterior and site lighting design guidelines can be located at:
<https://www.scottsdaleaz.gov/planning-development/long-range-planning/lighting>
5. Please respond to Goal 3, bullet 1, of the Land Use Element which intends to ensure that neighborhood edges transition to one another by considering appropriate land uses, development patterns, character elements and access to various mobility networks. To this end, in a resubmittal narrative please remark what considerations have been made in developing the proposed site plan to be context appropriate.
6. In a resubmitted narrative, please respond to Goal 7, bullets 1, 2, 3 and 5, of the Land Use Element which focuses on the importance of sensitively integrating land uses into the surrounding physical and natural environments, the neighborhood setting and the neighborhood itself.
7. Please provide a response to Goal 3 of the Economic Vitality Element which seeks to attract new high value/low impact businesses that contribute to Scottsdale's sales and property tax base. Please remark upon the operations of the proposed facility with regard to onsite residency, the purpose of such residency (if any), and the number of employees this location will provide.
8. Please respond in a resubmitted narrative to Goal 10, Bullets 1, 3, 4, 5, and 6 of the Environmental Planning Element which encourages green building techniques in the design and construction of buildings in a desert climate.
 - Considering the above-mentioned response, please also respond to the Scottsdale Sensitive Design Principles. For reference, please see the following link:
<https://www.scottsdaleaz.gov/design/design-guidelines#principles>
9. Please respond in the resubmitted narrative to Goal 11, Bullets 3, 7, 9, and 10 of the Community Mobility Element in the provision expanding opportunities for building "community" through neighborhood mobility. Please note that along the site frontage of Thompson Peak Parkway and through the Old Verde Canal an unpaved trail designated by

the city's Transportation Master Plan; please identify this item on the site plan upon resubmittal.

10. As a response to Goal 1 of the Community Involvement Element, with the resubmittal, please provide an updated Citizen Involvement Report that describes the key issues that have been identified through the public involvement process.

Zoning:

11. The Neighborhood Commercial (C-1) district requires a minimum front yard of the adjacent residential district where the C-1 district is on the same side of the street and is located within 100 feet of a residential lot zoned with a single-family residential district or a single-family residential portion of a Planned Community P-C district (Zoning Ordinance Section 5.1304.D.1a). The property located on the west side of the subject property is zoned R1-35 PCD ESL and is part of the Horseman's Park Planned Community district. The front yard setback of this residential property is 40 feet. Please revise the site plan to comply with the required 40 front yard setback (see comment #3).
12. Under Section 5.1304.2a of the Neighborhood Commercial (C-1) district, the side yard required on the west side of the property is 50 feet. Based on the submitted site plan, it appears that the setback shown is 30 feet. Please revise the site plan to comply with the required 50 feet setback and dimension on site plan. This larger setback may help with drainage.
13. The Environmentally Sensitive Lands (ESL) Overlay on this property allows properties to request amended development standards. Under Section 6.1083 minimum setbacks may be reduced up to 25 percent. If this development wishes to request amended development standards for the setbacks, please revise the narrative to include this information, justify the amended development standards and revise the site plan.
14. The ESL Overlay requires that the building height be measured from the natural grade of the subject property (Zoning Ordinance Section 6.1070.B.1a). The building elevations show the building height at 34 feet above the finished floor, but it appears that the building height is higher based on the natural grade. Please provide a roof over topography plan to demonstrate that the building complies with the maximum allowed height of 36 feet from natural grade.
15. Table 9.103A of the Zoning Ordinance requires parking for internalized community storage at 1 space per 2,500 square feet of gross floor area. The site plan indicates 96,795 square feet of gross floor area which would require 39 parking spaces. Zoning Ordinance requires rounding up for parking calculations. Through the parking master plan, the Zoning Administrator can approve a reduction up to 20% of the required parking. A reduction more than 20% of the required parking must be approved by City Council. The parking study submitted requests a reduction from the 39 required parking spaces to 14 parking spaces which is approximately a 64% reduction (25 parking spaces). On the most recent internalized community storage projects (9-ZN-2017 and 8-ZN-2018) 1 space per 2,500 square feet of gross floor area parking calculation was used without any reductions. This extensive reduction does not seem warranted so consider adding more parking.
16. Please remove the dashed lines for future pads or identify all required development standards and dimension all required improvements associated with these pads on the site plan per the Zoning Ordinance and the Design Standards and Policy Manual.

Wastewater:

17. Please be advised Scottsdale Revised Code 49-118 requires the following for private sewers:

- Private sewers shall be installed within all non-subdivided commercial or industrial properties. Private sewers shall not be installed within a public utility easement or right-of-way except to connect to a public sewer.
- (d) Two (2) or more buildings located on the same parcel or on contiguous lots under different ownership may be provided service through one (1) or more private sewer lines provided:
 - (1) There is an established, incorporated association or management firm which is responsible for payment of the sewer service charge; and
 - (2) Each parcel or lot has a City-owned sewer line frontage on at least one (1) side of each parcel or lot; and
 - (3) The association or management firm does not charge a fee to connect individual parcels to a private sewer line.

Fire:

18. Access roads shall extend to within 300' of all portions of the building (Fire Ord 4283 503.1.1). Please demonstrate on the site plan.
19. Please demonstrate the required minimum drive width of 24' (Fire Ord 4283 503.2.1) on the site plan.

Drainage:

20. Please submit two (2) copies of the revised Drainage Report with the original red-lined copy of the report to me with the rest of the resubmittal material identified in Attachment A. Provide a written response for each drainage review comment from the drainage engineer. Explain how each comment was addressed.

Archaeology:

21. Please revise the Class III Cultural Resource Survey (SRSF) as follows:

- a. In the SHPO Survey Report Abstract please provide the COS Application Number (Agency Project Number);
- b. In the Abstract the Site Summary Table is missing;
- c. On the title page the report date is missing (only month and year are provided);
- d. In the Project Description please specify the Land ownership/funding source;
- e. In the Environmental Setting please provide discussion regarding historic vegetation in addition to the current conditions which are noted in the report;
- f. In the Background Research section, please indicate whether the City of Scottsdale Historic Preservation Office sources were reviewed;
- g. Figure A-1 indicates previous projects and previously recorded sites making it difficult to read. Please provide a separate map for each type of information;
- h. Figure A-1 does not depict previous projects 1988-109.ASM, SHPO-2010-0235, SHPO-2001-2272, and SHPO-2004-0638, but these projects are listed on the table. Please revise Figure A-1 accordingly;
- i. Please identify the site recording criteria that were used for the report;
- j. Please provide the professional qualifications of the individual performing the survey, and project management;
- k. Please provide specified historic contexts based on previous research, that were used for evaluating the significance of the cultural resources;

- l. In the Survey Results section, the last sentence appears to belong to a different report. The previous paragraph suggests the 4.7-acre parcel was surveyed using transects spaced 20 m apart, but the last sentence refers to a survey of 20 acres at 15 m apart, which would apply to surveys on federal lands;
- m. Recommendations Section, please provide a specific recommendation for the appropriate type of certificate based on the findings in this report;
- n. In Section 21 Discovery Clause; provide reference to the Scottsdale Revised Code Sec. 46-134 Discovery Clause;
- o. The survey identified a newly recorded site and a newly recorded segment of previously recorded Rio Verde Canal/AZ T:8:65(ASM). Please provide an ASM site number for the newly recorded site (51622-1), per SHPO Revised Survey Report Standards Part B, Section 8, Subsection a (January 2017);
- p. Determination of significance per Scottsdale Revised Code, Chapter 46, Article VI, is provided for the Rio Verde Canal/AZ T:8:65(ASM), but not for Site 51622-1;
- q. Arizona/NRHP eligibility recommendations relating to a specific research theme and with discussions of aspects of integrity, are provided for the Rio Verde Canal/AZ T:8:65(ASM), but not for Site 51622-1. Please clarify and revise discussion accordingly;
- r. Revise the site descriptions to:
 - i. include elevation;
 - ii. include observations of the area's depositional environment in respect to the site's potential to contain subsurface deposits;
 - iii. include recommendations regarding the need for additional work/research; and
 - iv. include an assessment of effect, or provide appropriate mitigation measures for the Rio Verde Canal/AZ T:8:65(ASM), which is recommended eligible for the Scottsdale/Arizona/NRHP;
- s. Provide detailed site maps. Both sites are shown on a topographic map background (Figure A-2), and Site 51622-1 is shown on a contemporary aerial photograph background (Figure A-3);
- t. The Summary and Management Recommendations section provides a summary of results but no management recommendations. Please revise accordingly;
- u. Please provide an appropriate recommendation for Certificate of No Effect or Certificate of Approval.

Significant Policy Related Issues

The following policy related issues have been identified in the first review of this application. While these issues may not be critical to scheduling the application for public hearing, they may affect the City Staff's recommendation pertaining to the application and should be addressed with the resubmittal of the revised application material. Please address the following:

Site Design:

- 22. Please consider eliminating signs and reducing lighting on the west and south sides of the subject property.
- 23. DSPM 2-1.309: Non-Residential, Mixed-Use, and Multi-Family Residential developments shall provide the refuse enclosures in accordance with 1 enclosure for every 20,000 square feet of building space. Please provide the square footages proposed for pads and storage office. Number of refuse enclosures required should be based on this square footage.

Location and placement of additional refuse enclosures to follow this provision of DSPM. Please revise the site plan to show additional refuse enclosures.

Circulation:

24. Please be advised that a dedication of a minimum 25-foot wide non-motorized public trail easement over the Verde Canal and Thompson Park Parkway site frontage southwest of the canal intersection will be required. DSPM Sec. 8-3.200, Trail Classifications, 8-3.202; 2004 Trails Master Plan, Trail Network. Please show the public trail easement on the site plan.

Technical Corrections

The following technical ordinance or policy related corrections have been identified in the first review of the project. While these items are not as critical to scheduling the case for public hearing, they will likely affect a decision on the final plans submittal (construction and improvement documents) and should be addressed as soon as possible. Correcting these items before the hearing may also help clarify questions regarding these plans. Please address the following:

Site:

25. The building elevations show the building height at 34 feet from finished floor. Please revise the open space calculation and the site plan height information from 30 feet to 34 feet.
26. Sewer service should be from existing manhole on 18-inch pipe to the south, connecting to one of two existing lateral at manholes to the south on Thompson Peak Parkway. Please show on revised plan.
27. Please identify the existing one-foot wide vehicular non-access easements and sight distance easements on the site plan.
28. Please identify the existing 40-foot wide ingress/egress easement along the western property line on the site plan.
29. Please align the new access aisle with the existing site driveway on McDowell Mountain Ranch Road or offset the aisle 50 feet to the southeast.
30. Please be advised divided entrances and drive thru by pass lanes shall be 20' wide minimum (DS&PM 2-1.303(2)).
31. Demonstrate fire lane surface will support 83,000 lbs. GVW to include any bridge/culvert crossing (DS&PM, 2-1.303(3)).
32. Please demonstrate COMMERCIAL turning radii (25' inner/49' Outside /55' Bucket Swing) (DS&PM 2-1.303(5)).
33. Please demonstrate the location of the Fire Riser room (DS&PM 6-1.504(1)).
34. Please be advised the unobstructed vertical clearance minimum is 13'6" (Fire Ord. 4283, 503.2.1).
35. Please designate Fire Lanes for all Commercial / Multi-Family (24' min.) on the site plan (Fire Ord. 4283, 503.3).
36. Please demonstrate Hydrant spacing, existing and proposed on the site plan (Fire Ord. 4283, 507.5.1.2).

37. Please demonstrate the location of the Fire Department Connection on the site plan (Fire Ord. 4283, 912).

38. Please illustrate all existing on-site easements and update site plan accordingly.

Other:

39. Please be advised a dedication of a cross access easements over the shared site driveways and shared access aisles to allow both parcels to access the existing driveways on Thompson Park Parkway and McDowell Mountain Ranch Road will be required. There is an existing access easement from the McDowell Mountain Ranch Road.

Please resubmit the revised application requirements and additional/supplemental information identified in Attachment A, Resubmittal Checklist, and a written summary response addressing the comments/corrections identified above as soon as possible for further review. The City will then review the revisions to determine if the application is to be scheduled for a hearing date, or if additional modifications, corrections, or additional/supplemental information is necessary.

PLEASE CALL 480-312-7767 TO SCHEDULE A RESUBMITTAL MEETING WITH ME PRIOR TO YOUR PLANNED RESUBMITTAL DATE. DO NOT DROP OFF ANY RESUBMITTAL MATERIAL WITHOUT A SCHEDULED MEETING. THIS WILL HELP MAKE SURE I'M AVAILABLE TO REVIEW YOUR RESUBMITTAL AND PREVENT ANY UNNECESSARY DELAYS. RESUBMITTAL MATERIAL THAT IS DROPPED OFF MAY NOT BE ACCEPTED AND RETURNED TO THE APPLICANT.

In an effort to get this Zoning District Map Amendments request to a Development Review Board / Planning Commission hearing, please submit the revised material identified in Attachment A as soon as possible.

The Planning & Development Services Division has had this application in review for 22 Staff Review Days since the application was determined to have the minimal information to be reviewed.

These 1st Review Comments are valid for a period of 180 days from the date on this letter. The Zoning Administrator may consider an application withdrawn if a revised submittal has not been received within 180 days of the date of this letter (Section 1.305. of the Zoning Ordinance).

If you have any questions, or need further assistance please contact me at 480-312-4214 or at dmcclay@ScottsdaleAZ.gov.

Sincerely,



Doris McClay
Senior Planner

ATTACHMENT A
Resubmittal Checklist

Case Number: **23-ZN-2018**

Please provide the following documents, in the quantities indicated, with the resubmittal (all plans larger than 8 ½ x11 shall be folded):

Digital submittals shall include one copy of each item identified below.

- ☒ One copy: COVER LETTER – Respond to all the issues identified in the first review comment letter.
- ☒ One copy: Revised CD of submittal (CD/DVD, PDF format)
- ☒ One copy: Revised Narrative for Project
- ☒ One copy: Updated Citizen Involvement Report

☒ Site Plan:

_____ 6 _____ 24" x 36" _____ 1 _____ 11" x 17" _____ 1 _____ 8 ½" x 11"

☒ Open Space Plan:

_____ 2 _____ 24" x 36" _____ 1 _____ 11" x 17" _____ 1 _____ 8 ½" x 11"

☒ Other Supplemental Materials:

Revised Class III Cultural Resource Survey

Technical Reports: Please include one (1) digital copy with each report

- ☒ 2 copies of Revised Drainage Report:
- ☐ _____ copies of Revised Storm Water Waiver:
- ☐ _____ copies of Revised Water Design Report:
- ☐ _____ copies of Revised Waste Water Design Report:

Resubmit the revised Drainage Reports, Water and Waste Water Report and/or Storm Water Waiver application to your Project Coordinator with any prior City mark-up documents.

McClay, Doris

From: Ed Grant IV <egrant4@simaz.com>
Sent: Wednesday, October 31, 2018 8:55 AM
To: michaelpleary@cox.net
Cc: McClay, Doris; mafoster272@gmail.com; eric.e.bjorkman@intel.com; cthroe@righthonda.com
Subject: 93-PA-2018 (McDowell Mountain Community Storage)

On behalf of the Bjorkman, Foster, Grant, & Thorpe families, all of whom are residents of the Horseman's Park subdivision, we wanted to contact you regarding the proposed McDowell Mountain Community Storage project. While we understand that the final details of your proposed project have yet to be rolled out, please understand that we generally object to the effort to rezone this property based upon the following:

- Section 5.2701 of the City's Zoning Ordinance states that the land's existing PCoC designation is designed to provide "basic convenience goods, shopping and services within walking distance of nearby residence". We interpret this to mean exactly what it says, and submit that the existing Superpumper fits that description nicely. Your proposed use would unnecessarily broaden that, however.
- We know, per your letter, that no development has been proposed on this site since the original zoning in 1993. While we do understand that current zoning permits certain uses that may create more traffic "by right", we also feel strongly that the property should be used for what it's entitled to do...provide services within walking distance of nearby residents. A storage facility is hardly a regional use, but it certainly has a more broad reach than walking distance.
- You mention that the site is severely constrained by drainage, but please note that condition did exist prior to acquisition and would have been known before the owner acquired the property.
- The C-1 zoning designation permits additional uses not allowed under the current PCoC designation such as furniture and home furnishing sales, a health and fitness studio, internalized community storage (the subject here), and retail, amongst others. Again, these uses are more broad than the original intent of the PCoC designation and what we feel is appropriate at this location. We're quite comfortable that we have adequate access to these uses at the Basha's, A.J.'s, and Safeway shopping centers...all of which are approximately 1 mile away from our homes. As for storage, those opportunities abound in the area as well.

Please also note that we did attempt to access your pre-application file via the website provided in your letter, but were unsuccessful via the case number, project name, or applicant name.

Finally, we are planning to attend your open house next Wednesday and hear more about the case at that time. As a fellow real estate professional myself, however, I thought it important to make you aware of our objection sooner as opposed to later.

Thanks very much for the chance to offer this input.

Ed Grant

McClay, Doris

From: Curtis, Tim
Sent: Thursday, November 15, 2018 4:52 PM
To: maumutt@gmail.com
Cc: Littlefield, Kathy; Grant, Randy; Thompson, Jim; Gleason, Teri; McClay, Doris; Kercher, Phillip; Appleton, Emily J
Subject: Re: Storage Facility Proposal

J B Such,

In response to your email, the proposed storage facility recently submitted an application to rezone the property to accommodate the development (submitted last Friday, case 23-ZN-2018). As such, city staff has not yet finished the review of the impacts associated with this request.

Below is the city link to their submittal:

<https://eservices.scottsdaleaz.gov/bldgresources/Cases/Details/49263>

You can periodically click on this link to find a status update of when this project heard at a public hearing.

Thank you for your comments. We will add your comments to the file and pass them on to the applicant. Please feel free to contact me with any questions.

Sincerely,

Tim Curtis

Director of Current Planning

City of Scottsdale

From: MM <maumutt@gmail.com>
Sent: Tuesday, November 13, 2018 1:00 PM
To: Littlefield, Kathy
Subject: Storage Facility Proposal

Councilwoman Littlefield:

Thank you for attending the McDowell Mountain HOA meeting concerning the proposed storage facility to be located behind the Shell gas station at Thompson Peak Parkway and McDowell Mountain Ranch Road.

At your request, I am submitting my concerns that you would forward to the Development Review Board.

They are as follows:

- 1) Height of the building, particularly in relation the the Shell stations' height. It would look ghastly looming high above it.
- 2) Color of the exterior and design to be compatible with the desert landscape and environs.
- 3) Lighting and signage. Concerns over the intensity (lumens) of light being cast into the desert night and the size and appropriateness of the sign(s), and hopefully none on the building itself.

4) The rear of the building that faces drivers driving North on Thompson Peak Parkway. In speaking with the architect, he could not state exactly what material would be used, the color, or design. He did mention the possibility of "split-faced" brick and/or faux windows. Neither sounds very nice.

5) Minimizing the removal of desert trees and landscape in the building process and a commitment to replacing any removed trees and plants to help in hiding the building and returning the look of the desert.

6) The plans also show the placement of two "pads" and about 30-35+ additional parking spaces for later development. What are these pads to be used for? What is the potential additional traffic loads as a result of the storage facility and of the "future use" pads? Note: The intersection of Thompson Peak Parkway and McDowell Mountain Ranch Road is presently, one of the worst traffic nightmares in McDowell Mountain Ranch and the addition of any more traffic will be horrendous for the residents.

I have grave concerns over adding any more traffic to that intersection.

Thank you for listening and for your attendance. Congratulations on winning your re-election.

J B Such
Scottsdale



Planning and Development Services Division

7447 East Indian School Road
Scottsdale, Arizona 85251

Date:

11/9/18

Contact Name:

Firm Name:

MIKE LEARY

Address:

City, State, Zip:

RE: Application Accepted for Review.

93 - PA - 2018

Dear

MIKE LEARY

It has been determined that your Development Application for

MCDOWELL Mountain Community
STARTER

Upon completion of the Staff's review of the application material, I will inform you in writing or electronically either: 1) the steps necessary to submit additional information or corrections; 2) the date that your Development Application will be scheduled for a public hearing or, 3) City Staff will issue a written or electronic determination pertaining to this application. If you have any questions, or need further assistance please contact me.

Sincerely,

Ceri McCarty

Name:

DORIS MCCARTY

Title:

SENIOR PLANNER

Phone Number:

(480) 312 - 4214

Email Address:

dmcarty@ScottsdaleAZ.gov

23-ZN-2018

11/9/2018

RE: TPP/MMR - Giant DRB 108-DR-2018 - 20% NAOS requirement

McClay, Doris <DMcClay@scottsdaleaz.gov>

Wed 8/8/2018 1:51 PM

To:mike leary <yrael@hotmail.com>;

Hi Mike

Sorry for the delay in responding. Yes, 20% would be the required NAOS for the entire property. Randy sent you an e-mail regarding the status of the properties.

Doris McClay

From: mike leary <yrael@hotmail.com>

Sent: Friday, July 27, 2018 6:52 PM

To: McClay, Doris <DMcClay@scottsdaleaz.gov>

Cc: Wade Cooke <wade@landcorconsulting.com>; george bell <ghbell@landrd.com>; 'george.bell@landrd.com' <george.bell@landrd.com>; Jim Elson <j4747e@aol.com>

Subject: TPP/MMR - Giant DRB 108-DR-2018 - 20% NAOS requirement

Hi again Doris!

Attached is the DRB approved Giant site plan from the online case records which included the ENTIRE site worksheet (sheet 3). The NAOS requirement shown on the worksheet indicates a 20% NAOS requirement which corresponds to a slope of 0-2%.

N.A.O.S. CALCULATIONS	
OVERALL PARCEL AREA	278,328 SF
REQUIRED NAOS (TABLE 20)	20%
REQUIRED NAOS (278,328 X 20)	55,666 SF
NAOS PROVIDED	57,671 SF

Although there is no slope analysis worksheet in the case records, I found the attached topo map which might be the likely source of the calculation.

23-ZN-2018
11/9/2018